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IN THE

U.S.S.R. AND LITHUANIA

(1976–1986)

Volume 1

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The Moscow Helsinki Group: Ten Years Later

Inspired by the human rights provisions of the 1975 Helsinki Final Act, a group of eleven remarkable Soviet citizens formed the Public Group to Promote Observance of the Helsinki Accords in the U.S.S.R. (better known as the Moscow Helsinki Group.) At a press conference for Western journalists in Moscow, they announced the formation of the Group on May 12, 1976.

The first Moscow Helsinki Group statement listed the names and addresses of its founders: Professor Yuri Orlov (leader), and Lyudmila Alekseeva, Elena Bonner, Aleksandr Ginzburg, Petro Grigorenko, Malva Landa, Anatoly Marchenko, Vitaly Rubin and Anatoly Shcharansky. Later, ten other human rights activists joined the Moscow Helsinki Group: Sofya Kalistratova, Ivan Kovalev, Naum Meiman, Yuri Mnyukh, Viktor Nekipelov, Tatiana Osipova, Feliks Serebrov, Vladimir Slepak, Leonard Ternovsky and Yuri Yarym-Agaev.

The Moscow Helsinki Group called upon the Soviet government to live up to its solemn obligations to "respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief." It requested the Soviet government to "facilitate freer movement and contacts, individually and collectively, whether privately or officially, among persons, institutions and organizations." It expressed willingness to work with the Soviet government if it showed a serious desire to live up to its Helsinki pledges. And finally, it called upon the citizens of other Helsinki signatories to set up similar human rights groups.

Publicizing Soviet human rights violations was the sole aim of the Moscow Helsinki Group. In its early days, the Moscow Helsinki Group sent each of its documents to the embassies of the 34 Helsinki signatory states, as well as to the Kremlin. None of these documents reached its addressee. But the Moscow Helsinki Group made sure that its reports, largely based on statements from Soviet citizens, received the public attention they so richly deserved.

Eventually, the Moscow Helsinki Group issued some 200 documents. These reports treated a wide range of human rights topics: freedom of conscience; socio-economic rights; the situation of prisoners of conscience and of victims of psychiatric abuse; national rights; freedom of emigration and residence; human contacts; the right to a fair trial; and suggestions for improving observance of Helsinki Final Act provisions. These 200 documents, translated, edited and compiled by the staff of the Commission on Security and Cooperation in Europe, represent an impressive intellectual and human achievement.

Tragically, repression has been the Kremlin response to the 21 brave men and women who joined this Group. Four have had to leave the Soviet Union: Lyudmila Alekseeva, Petro Grigorenko, Yuri Mnyukh and Yuri Yarym-Agaev. Two, Aleksandr Ginzburg and Anatoly Shcharansky, were finally released to the West after long years in camp and prison. Three, Malva Landa, Vladimir Slepak, and Leonard Ternovsky, have already served their sentences. Five, Yuri Orlov, Anatoly Marchenko, Ivan Kovalev, Viktor Nekipelov, Tatiana Osipova, are still imprisoned or exiled. Most are serving 12-year sentences. Elena Bonner was allowed to go to the West for medical treatment but must return to exile in Gorky. Only two Moscow Helsinki Group members, Naum Meiman and Sofya Kalistratova -- both elderly and ill -- have never been jailed for their Helsinki activities. Indeed, it was Sofya Kalistratova's impending arrest which forced the Moscow Helsinki Group to call a halt to its activities on September 8, 1982.

The documents of the Moscow Helsinki Group represent only one of its lasting achievements. The personal courage and sacrifice of its participants are even more impressive. Their quiet bravery and human rights advocacy have inspired people in many places. Similar citizens' groups were formed in Ukraine, Lithuania, Armenia, and Georgia. The members of these groups shared the tragic fate of their Moscow colleagues. Specialized committees were organized to advocate the rights of Soviet religious believers, invalids, and the victims of psychiatric abuse. Just this year, a group of brave Estonians set up another Helsinki Group. Charter '77 in Czechoslovakia, the Polish Helsinki Committee, and various citizens' groups in the United States and Europe are all indebted to the Moscow Helsinki Group.

For us, the Congressional leaders of the United States Commission on Security and Cooperation in Europe, the Moscow Helsinki Group is a beacon of hope. If, even under the repressive conditions which sadly prevail in the Soviet Union, people are spurred to such courage and eloquence, then the Helsinki Final Act must truly be something very precious in the life of nations and peoples.

STENY H. HOYER
CoChairman

Alfonse D'Amato
ALFONSE M. D'AMATO
Chairman

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THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #1

Case of Mustafa Dzhemilev, Defender of Crimean Tartars

May 18, 1976

Members of the Group:

Yu. Orlov
M. Bernshtam
E. Bonner
A. Ginzburg

In April of 1976 in Omsk a trial took place, sentencing a thirty-three year old Crimean Tatar, Mustafa Dzhemilev, who had earlier spent eight years in camps, to two and a half more years of a strict regimen camp. Dzhemilev was charged under Article 190-1 of the RSFSR Penal Code - for "deliberately false, slanderous inventions, discrediting the Soviet societal and governmental regime." Directly incriminating Dzhemilev were his statements on nationality politics in the USSR - specifically, on the situation of the Crimean Tatar nation, which was deported from its historical homeland in 1944 and to this time does not have the opportunity to return to its homeland, due to opposition of the authorities.

Charges against Dzhemilev were based on the testimony of two witnesses, with the testimony of the second being indirect - a retelling of the words of the first and main witness - one of Mustafa's campmates - Vladimir Dvoryansky. However, the first and main witness himself - Dvoryansky - renounced his own testimony, given in the course of a preliminary investigation, fully and completely in court, declaring that his original statement to investigators was a result of illegal methods of carrying out the investigation - blackmail, pressure, threats of destruction.

Thus the charges were not corroborated in court. Nonetheless, Dzhemilev was not acquitted. The court declared the preliminary investigation to be the truth, despite Dvoryansky's declaration that illegal methods were used in conducting the investigation. What is more, the judge during the proceedings repeated threats to Dvoryansky similar to those made by the investigators, and the court carried through by indicting Dvoryansky for perjury, owing to his exposure of the investigation's lawlessness.

Concerning the condition of Dzhemilev's health, after his eight years of imprisonment and having just ended a ten-month hunger strike, prison physicians do not guarantee that Dzhemilev will live to the end of his sentence.

— — — — —

Having studied numerous materials - documents, verbatim reports, statements made by relatives and friends of Dzhemilev, letters of Crimean Taters, personal testimonies and other sources, The Group to Promote Observance of the Helsinki Agreements in the USSR notes:

a) Broadcasts incriminating to Dzhemilev concerning his views on certain questions, and his conviction for expressing these views contradict the First Section of the Final Act of the Conference on Security and Cooperation in Europe. Specifically, the Clause which declares "Respect for human rights and fundamental freedoms, including freedom of thought, conscience, religion or belief" and Clause 19 of the Universal Declaration of Human Rights, which declares the freedom to broadcast information, - all the more since the Universal Declaration of Human Rights is declared to be the basis of action for the Member-States of the Helsinki Conference (Section 1, Principle VII of the Final Act.)

(b) The conviction of Mustafa Dzhemilev for expressing his views on the abnormal situation of the Crimean Tatar people, that is, being convicted for fighting for the rights of the Crimean Taters - contradicts Principle VIII, the First Section of the Final Act - the Clause which declares "Equal rights and self-determination of peoples: By virtue of the principle of equal rights and the self-determination of peoples, all people always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development.... Participating states also recall the importance of the elimination of any form of violation of this principle."

The conviction of Mustafa Dzhemilev for fighting for the national rights of the Crimean Tatar people is just such a violation of the principle stated.

Summarizing what we have noted above, the Group to Promote Observance considers that the conviction of Dzhemilev - irrespective of the presence or absence of his statements on the nationality question - contradicts the spirit and letter of the Final Act of the Helsinki Conference.

c) Mustafa Dzhemilev has been convicted in circumvention and violation of all norms of Soviet law, according to which no one may be convicted without guilt and proof. The Dzhemilev affair appears as complete falsification, since the charges have been based on forced false testimonies, which have been revealed as such in court by the witness himself. By the very same measure, the trial of Dzhemilev is not only an illegal act, not only an act of injustice, but it is also a deliberately prepared reprisal.

d) Dzhemilev's state of health is so grave that this reprisal, carried out under the guise of a conviction, is an act of physical destruction.

e) By the same token the trial and unjust conviction of Dzhemilev for the nationality struggle appear as part of a campaign of persecution and violation of the rights of the Crimean Tater people.

Such qualification of the Dzhemilev affair leads the Group to Promote Observance of the Helsinki Agreements in the USSR to two summary conclusions on this issue:

1. The conviction of Dzhemilev contradicts fully and absolutely the spirit and letter of the humanitarian articles in the Final Act of the Conference on Security and Cooperation in Europe.

2. Intervention by the international community and by the governmental bodies of those states who signed the Final Act is indispensable, since the violation which has occurred even of Soviet laws does not permit recourse to the article in the Final Act concerning non-intervention into internal affairs. That article does not apply to the Dzhemilev affair, for said article is interpreted in the Final Act as respect for the laws and orders of sovereign states; but not respect for injustice by concealed falsifications.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #2

Information on the Interruption of Human Contact in the Sphere of International Postal and Telephone Communications

June 27, 1976

Members of the Group:

Yuri Orlov
Vitaly Rubin
Anatoly Shcharansky
Lyudmila Alekseeva

I. In accordance with the Final Act of the European Conference on Security and Cooperation (paragraph "Human Contact"):

> "It is the aim of the participating states...to facilitate freer movement and contacts among persons...and to contribute to the solution of humanitarian problems that arise in that connection.

Under conditions prevailing in the USSR, the "free movement" of Soviet citizens to travel to other countries of the world and to return (to the USSR) is impossible, if one has in mind anything resembling free movement.

Therefore, postal and telephone communications play an exceptionally important part in establishing more direct contacts between people and in the exchange of humanitarian information. However, even this contact is also made extremely difficult, if certain official organs do not approve of the nature of the information exchanged.

II. On August 31, 1972, the Soviet Council of Ministers adopted a special resolution on an addendum to article 74 of the Soviet statute on communications, which states the following: "The use of telephone communication (inter-urban, urban, rural) for purposes contrary to state interests and the social order is forbidden." In actual practice, this addendum is used to disconnect telephones even without any warning, after several telephone conversations with foreigners in which any information which does not meet with official approval is communicated (e.g. information on prisoners of conscience, persecution of dissidents, texts of statements in defense of those persecuted, information from abroad on the reaction of Western public opinion to certain events in the Soviet Union.)

The telephone is usually disconnected with a warning that it not be used in the future for conversations with persons abroad; but not infrequently, telephones are disconnected permanently and their numbers are assigned to other subscribers.

Following is a list of telephones known to us to have been disconnected (the list does not include telephones which eventually have been reconnected by the authorities.)

A. Persons whose telephones were disconnected after the Final Act of the European Conference had been signed:

1. Valentin Turchin, tel. 129-25-30, Moscow, December 1975. Dr. Turchin is the Chairman of the Soviet Group of the Amnesty International.

2. Yuri Orlov, tel. 129-51-60, Moscow, November 1975. Professor Orlov is a member of Amnesty International.

3. Vadim Borisov, tel. 452-85-00, Moscow, August 1975. Borisov is the author of a well-known article in the collection entitled, "Iz pod glyb" ("From under the Rubble), frowned upon the authorities.

4. Abram Yutsis, tel. 3-70-74, Odessa, August 1975.

5. Vladimir Rayz, tel. 75-90-21, Vilnius, February 1976.

6. Tatyana Khodorovich, tel. 280-91-02, Moscow. Tatyana Khodorovich is a well-known civic leader. After her telephone was reconnected,(for a short time)it was again disconnected when Leonid Plyushch was preparing to leave the USSR. During that time, Tatyana Plyushch-Zhitnikova's telephone was also disconnected.

7. Boris Fridman, tel. 37-39-58, Minsk.

8. Lev Ovsishcher, tel. 22-81-63, Minsk.

9. Vladimir Kislik, tel. 56-55-56, Kiev.

10. Mark Nashpits, 1-62, Tupik, Chitinskaya oblast.

11. Vladimir Voinovich, writer, tel. 151-28-53.

B. Persons whose telephones were disconnected before the signing of the Final Act, were not reconnected after the signing and still remain disconnected:

1. Nina Ivanovna Bukovskaya, 463-12-59, Moscow. Telephone disconnected on July 30, 1975. Mother of the well-known prisoner of conscience, Vladimir Bukovsky.

2. Vladimir Slepak, 229-57-82, Moscow.

3. Vladimir Prestin, 162-79-22.

4. Pavel Abramovich, 461-89-38.

5. Yuli Komarovsky, 264-93-75.

6. Ida Nudel, 172-48-64.

7. Aleksandr Lerner, 137-53-96.

8. Izabella Novikova, 301-11-39.

9. Iosif Beylin, 161-19-83.

10. Mark Novikov, 164-19-83.
11. Vitaly Rubin, 223-54-72, 294-97-59.
12. Viktor Brailovsky, 433-92-28.
13. Viktor Elistratov, 162-39-00.
14. Vladimir Shakhnovsky, 482-92-32.
15. Yevgeny Baras, 241-46-02.
16. Feliks Kandel, 151-96-85.
17. Evgeny Yakir, 129-26-30.
18. Grigory Rozenshteyn, 129-12-73.
19. Nikolay Shepelev, 461-88-76.
20. Arkady Polishchuk, 287-47-11.
21. Lidia Voronina, 295-57-77.
22. Ilya Essas, 187-85-57.
23. Naum Kogan, 479-80-62.
24. Iosif Blikh, 10-98-98, Leningrad.
25. Grigory Roman, 14-73-66, Leningrad.
26. Grigory Ioffes, 19-52-21, Leningrad.
27. Ekaterina Davidovich, 32-71-14, Minsk.
28. Grigory Khess, 24-27-40, Minsk.
29. Anna Ioffe, 22-14-29, Minsk.
30. ---- Kushner, 37-18-73.
31. Isay Goldshteyn, 22-71-19, Tbilisi.
32. Ida Shtern, 28-813, Vinnitsa.

Both lists are incomplete. In those rare cases when the authorities for certain reasons do not want to disconnect a telephone (e.g. Academician Sakharov's telephone) or when a subscriber uses telephones in government telephone stations, conversations not approved by the authorities are either jammed or interrupted. We have established numerous cases when both parties expecting to talk with one another, are told that "the conversation could not take place because one party had not shown up," or "no one answers the telephone."

III. Postal communication with foreign countries is no less subject to control than telephone communication. It is true that in this case it is much more difficult to prove intentional interrruption of contact, since the local postal authorities always say that it is not their fault that letters have not been delivered. The experience of those who tried to obtain compensation through court action for the numerous letters which they have not gotten or which were not delivered, (e.g. Isay and Grigory Goldshteyn in Tbilisi, Mark Abramovich in Kishinev, Ida Nudel in Moscow) shows that every time the investigation drags on for years and produces no results. Nevertheless, in a number of cases the interruption in postal delivery is quite evident. For example, in April 1975 (before the Final Act had been signed) according to American Jewish organizations, about 4,000 telegrams were sent to Vladimir Slepak during his 22 day hunger strike in Moscow. Nevertheless, not a single one reached him. Ida Nudel did not receive a single one of the numerous telegrams sent to her from abroad on her birthday, April 27, 1976, which was already after the Final Act had been signed.

Dr. Valentin Turchin, Chairman of the (Soviet) Group of Amnesty International states:

> "Early in 1975, a few months after the Group was admitted to Amnesty International, printed matter and letters sent from London stopped coming through altogether. Until the end of 1975, I maintained contact with London by telephone. On December 11, my telephone was disconnected. At first I was told that it was for six months. If Orlov's case is to be taken as an example, then probably my telephone will not be connected even after 6 months. Thus, contact with London will be totally halted. It is even impossible to say how much material has been sent from London during this time and detained by the authorities. It is quite possible that the General Secretary of M.A. (A.I.--translator's note) seeing that the material sent out does not reach its destination, has stopped sending it.
>
> Letters we sent abroad in defense of prisoners of conscience in foreign countries also apparently do not reach their destination, as they are intercepted on the way. Of the several dozen letters sent abroad by members of the group, a considerable number (about half) was sent return receipt requested.

Only once did we receive confirmation that the letter was received: this was Viktor Sokolov's letter to the Minister of Internal Affairs of Spain, Peralta.

But in addition to Amnesty (International), personal letters are also frequently detained by the authorities. Postcards go through more frequently. Only scientific journals arrive regularly. As a rule, other journals and books get lost. In November 1975, Jeremy Stone, Director of the American Federation of Scientists, sent me his book on the problem of disarmament. The book never arrived. I was assured by the local post office that it had never arrived there. On the other hand, a dictionary sent by the same Dr. Stone was safely delivered to my apartment. Hence, the authorities make their selection according to very evident principles. but books and journals which are in great demand here, also frequently never arrive. Our American friends sent my son a subscription to The National Geographic for 1975. In all this time, only one issue arrived. The magazine apparently charmed the censors with its wonderful photographs. In the summer of 1975, the Swedish mathematician, Lars Elden, sent me an historical novel about the Swedish Vikings in Russia. The book never arrived."

IV. All the facts of which we are informed speak of the continuing violations of the humanitarian articles of the Final Act of the Conference on Security and Cooperation in Europe, both under the paragraph "Human Contacts" and, basically, under the paragraph "Information".

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #3

On the Conditions of Confinement of Prisoners of Conscience

June 17, 1976

Members of the Group:

Yuri Orlov
Aleksandr Ginzburg
Malva Landa
Lyudmila Alekseeva
Anatoly Shcharansky

Prisoners of conscience in the USSR are subject to physical and moral torments. Soviet legislation includes provisions for hard labor, systematic dietary restrictions, and additional sufferings in penal isolation wards and in the punishment cells of prison. The dietary standards, as outlined in internal, unpublished orders of the USSR Interior Ministry and confirmed by the USSR Council of Ministers, are presently even lower than those which existed in 1969-1970 and were mentioned by A. I. Solzhenitsyn in Gulag Archipelago, Chapter VII, and A. T. Marchenko in his book, My Testimony. The norms in prison on a "reduced dietary regime" both in punishment cells and even in the camps -- in inner-camp prison and in penal isolation -- lead to real torture by hunger. Conditions are even worse in that the food offered prisoners is of an exceptionally poor quality, often completely uneatable. Insufficient nourishment and hunger is then combined with hard and compulsory labor and even, in several cases, with terribly unpleasant living conditions: cold, grey, stenchy, narrow cells that lack air or daylight. Soviet legislation includes provisions for the absence of a mattress and any other bedding needs in a punishment cell and in penal isolation; internal orders forbid the use of outer clothing and the prisoner suffers from the cold; you can lie down only at night on a plank bed or trestle bed with wooden planks; the rest of the time in the cell means grey stone walls and a grey, dirty, stone floor which you can't even sit on or lean against.

The problem of torture through hunger and the tortures in the penal isolation and punishment cells is particularly keen right now: the great majority of prisoners of conscience are subject to punishments which are becoming more difficult and protracted.

Vladimir Bukovsky, the prominent defender of human and civil rights in the USSR, was sentenced to Vladimir prison and in June and November, 1975 was placed in a punishment cell every 15 days; for the whole month of August, they kept him on a so-called "reduced diet"; until the end of January, 1976, on a "strict regime"; from February 18, again a month of "reduced diet" and then a "strict regime" until the end of August, 1976. Also in Vladimir prison, the well-known leader of Ukrainian culture, Aleksandr Sergienko was punished with the punishment cell in May and October 1975, and in March 1976 - the last two times for 15 days; in the month of June 1975, he was placed on a "reduced diet" and up to December on a "strict regime".

The fact that both men were extremely ill did nothing to prevent the tortures; Bukovsky has cholecystitis, Sergienko has a mild case of tuberculosis, and close to a year ago, he got pleurisy and bronchitis.

Bukovsky and Sergienko were punished because they refused to work at forced labor; they were placed in punishment cells in October, November, and March because they protested the cruel treatment of other prisoners and complained to official departments. According to our sources, no fewer than 25 political prisoners were subject to similar punishments in the past 9-10 months in Vladimir prison. From March to May, 1976, there were no fewer than eight political prisoners in the punishment cells, some for 25-45 days. They were punished for maintaining contacts between cells and for attempting to pass on information about conditions in prison to the public. Last year the Soviet government, for the first time in its history, committed itself to two international agreements which forbid the use of torture and cruel, inhuman treatment.

"The International Covenant on Civil and Political Rights," which the Soviet government must abide by according to Principle VII, part A, Basket I of the Final Act of the Conference on Security and Cooperation in Europe, reads as follows:

> No one must be subject to torture or to cruel, inhuman, humiliating treatment or punishment -
>
> Article 7, Part III of the
> International Covenant on
> Civil and Political Rights

In addition to the above, the Final Act of the Helsinki Conference provides "for the exercise of civil, political and other rights and freedoms which derive from the dignity of the human person." Principle VII, Part A, Basket I.

The information provided above, based on a significant group of documents and material (see appendix I) testifies, in the opinion of the Group to Promote the Observance of the Helsinki Accords in the USSR, to the flagrant violations by the Soviet authorities of Principle VII, Part A, Basket I of the Final Act of the Conference on Security and Cooperation in Europe. Inasmuch as the Group does not consider the use of torture and of cruel and inhuman treatment of political prisoners as a form of "the exercise... by a participating state of the rights inherent in its sovereignty" - Principle VI, Part A. Basket I - so it does not extend the clause on "non-interference in the internal affairs" of the participating states of the Helsinki Accord - Principle VI, Part A, Basket I - to the torture and cruel and inhuman behavior casued by that sovereignty.

On this basis, the Group to Promote Observance of the Helsinki Accords in the USSR considers it necessary to create an International Commission to inquire into demonstrated violations. Its first order of business should be the problem of torture through hunger, the torture of prisoners of conscience in the USSR through punishment cells.

The Group is prepared to present to such a Commission all the documents and materials it has available.

A list of witnesses, including people who have undergone tortures through hunger and through penal isolation and punishment cells is attached to this manifesto.

Attached also is some concrete information on prisoners' diet and other living conditions, and also a list of 31 political prisoners from Vladimir prison who have been subject to hunger tortures and punishment cells after the signing of the Helsinki Accord.

The Group feels that the Commission should continue its activity until there is an end to torture and to the inhuman treatment of prisoners at the corrective labor prisons and camps of the USSR.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #4

On Separated Families

List of Separated Families Seeking Reunification

June 27, 1976

Members of the Group:

Yuri Orlov
Vitaly Rubin
Anatoly Shcharansky
Ludmilla Alexseeva

The Soviet violations of the Helsinki Accord are systematic rather than individual. Many Jewish families are known to have been denied their exit visas for many years. The number of such cases does not decrease, but rather increases. The signing of the Final Act of Security and Cooperation in Europe, August, 1975, has not led to any change for the better.

The following are three examples of such violations:

1. EFIM DAVIDOVICH (1924-1976)

Efim Davidovich, a war-hero and a retired colonel, had first applied for permission to leave for Israel in June, 1973. At that time he had already suffered two heart attacks. Despite the fact that Davidovich never had any access to classified information nor had he served in the secret branches of the Soviet military forces, he was refused permission to leave on grounds of his alleged access to military secrets.

The state of his health was worsening as a result of systematic persecutions brought about by the announcement of his desire to leave for Israel. In mid-May, 1975, he was deprived of his status of colonel in retirement, his pension and special medical care. In March, 1975, Davidovich suffered his fifth heart attack. Knowing that Davidovich's life was at stake, on March 15, 1975, his friends sent a telegram to Brezhnev asking him to demonstrate his humanity and immediately permit Davidovich to leave for Israel. The telegram brought about no response. On March 15, Lev Ovsischer, Ida Nudel and Alexander Lerner met with the head of the Department of Visa and Registration of the USSR, V. Obidin, with whom they discussed the plight of Davidovich. On March 21, Candidate of Science Alexander Lipavsky, went to Minsk to check the state of health of Davidovich. Having observed Davidovich, Lipavsky sent an urgent telegram to MVD, USSR and the Central Committee of the Communist Party of the USSR. In these telegrams he stressed the seriousness of Davidovich's condition. On March 25, the Department of Visa and Registration of the USSR once again denied Davidovich permission to leave, justifying the refusal by saying that according to their sources, Davidovich is in excellent health. On April 24, Davidovich died of a heart attack.

The case of Davidovich is a gross violation of two resolutions of the Helsinki Accord. Violated in this case was the part of the agreement according to which the submission of a request for an exit visa shall not lead to the change of the rights and responsibilities of the applicant (the change in Davidovich's status of retired colonel was a direct result of his applying for exit visa). Also, the Final Act outlines the provision that requests coming from ill applicants shall receive a special consideration and their processing shall be accelerated.

2. BORIS LEVITAS* (1954)

Since September 1973 Boris Levitas has been separated from his family consisting of: his father, mother, brother and sister residing in Israel. In 1974, when Boris Levitas announced his desire to reunite with his family, he was expelled from Kiev Polytechnical Institute, where he was attending his third year, for "antipatriotism." He was refused an exit visa on the basis that his departure would be "non-expedient."

After expulsion, he was requested on numerous occasions to appear in the Military Registration Office in order to proceed with active duty. If he were drafted then, in accordance with the existent situation, this would mean that he would be deprived of the chance to reunite with his family for at least seven or ten years (two or three years service, plus five to seven years of "quarantine" because of his knowledge of Soviet military "secrets.") Levitas was stripped of his residency permit in Kiev where he attended the Institute, as well as in Lvov, where his family had lived before leaving for Israel. Boris is also deprived of an internal passport. Since a passport is required for obtaining employment, he is deprived of all means of existence. The very fact of his living without a residency permit makes him an outlaw.

The case of Levitas is an illustration of further violation of the Helsinki Accord. Violated in this case was a part of the agreement according to which the submission of a request for exit visa shall not lead to the change of the rights and responsibilities of applicant. Also, the signers of the Accord oblige themselves to consider the requests of those trying to reunite with members of their families "in a positive and humanitarian spirit."

3. MARIA SLEPAK (1926)

Maria Slepak (maiden name Rashkovskaya) first applied for an exit visa to Israel on April 13, 1970, together with her mother, Berta Rashkovskaya, her husband Vladimir Slepak and her sons Alexander and Leonid. The whole family was refused on the basis of the "classified" nature of Vladimir Slepak's job. In March, 1971, before the 24th Party Congress, the officials granted an exit visa to Maria Slepak's mother, but neither Maria, nor her grown son Alexander, was allowed to accompany the 70-year old woman who is in a poor state of health.

In 1975, Alexander Slepak got married and applied for permission to reunite with his grandmother in Israel. He was refused on the grounds that a grandmother is a "distant relative."

Finally, in January, 1976, Maria Slepak, in compliance with requirements of Soviet law, divorced Vladimir Slepak and applied for an exit visa so that she, along with her son, Leonid, a minor, could reunite with her mother in Israel. Maria Slepak stressed the seriousness of the state of her mother's health, since she had suffered two heart attacks and has high blood pressure, asthma, gallstones and diabetes. But even she was refused.

"The agreement," the Soviet officials said, "must be applied to reunification of families but not to their separation. The courts have their instructions and we have ours. Therefore, we consider you and Vladimir Slepak the same family."

We must add here that in their reluctance to allow the Slepak family to emigrate, the Soviet officials for more than six years have exposed the whole family, including the children, to many different kinds of repression, i.e., numerous arrests, dismissals from work, blackmail, disconnection of telephones, complete cessation of mail service.

DIVIDED FAMILIES ATTEMPTING REUNIFICATION

(The following list consists of the most dramatic examples of separated families but is by no means complete. We intend to continue this list)

NAME OF HEAD OF FAMILY	CITY	RELATIONSHIP	COUNTRY OF RESIDENCE
Maria Slepak	Moscow	Mother	Israel
Ilya Gleser	Prisoner-of-Conscience	Mother	Israel
Stella Goldberg	Moscow	Husband	Israel
Vladimir Prestin	Moscow	Sister	Israel
Mark Nashpitz	Prisoner-of-Conscience	Mother,Father	Israel
Emanuel Smeliansky	Moscow	Sister-in-law	Israel
Leonid Tzipin	Moscow	Wife	Israel
Victor Faermark	Moscow	Daughter	USA
Boris Tzitlenok	Prisoner-of-Conscience	Parents,brother	Israel
Ida Nudel	Moscow	Sister,husband	Israel
Alexander Lerner	Moscow	Daughter,grandchildren	Israel
Mark Lvovsky	Moscow	Mother, brother	Israel
Mark Novikov	Moscow	Wife, son	Israel
Benjamin Levich	Moscow	Two sons	Israel
Lev Gendin	Moscow	Wife	Israel
Mark Azbel	Moscow	Son	Israel
Vladimir Shahnovsky	Moscow	Brother	Israel
Boris Fishkin*	Moscow	Son	USA
Anatoly Shcharansky	Moscow	Wife	Israel
Alexander Greenshpun*	Moscow	Wife's parents	Israel
Elias Essas	Moscow	Parents	Israel
Yakov Rakhlenko	Moscow	Sister	Israel
Lev Ulanovsky	Moscow	Father	Israel
Vladimir Lazaris	Moscow	Wife, child	Israel
Ester Smordinskaya*	Moscow	Mother, Sister	Israel
Lydia Voronina*	Moscow	Husband	Israel
Abram Gellich	Moscow	Son	Israel
Victor Elistratov	Moscow	Sisters-in-law	Israel
Grigory Vigdorov	Moscos	Parents	Israel
Mayer Gorbatov	Moscow	Father	Israel
Victor Brailovsky	Moscow	Brother	Israel
Arkady Mai	Moscow	Mother,brother-in-law	Israel
Yosif Ahs	Moscow	Parents	Israel
Michael Kremen	Moscow	Parents,sister-in-law	Israel
Benjamin Fain	Moscow	Child	Israel
Lev Blitshtein	Moscow	Wife,son,daughter	USA

NAME OF HEAD OF FAMILY	CITY	RELATIONSHIP	COUNTRY OF RESIDENCE
Benjamin Bogomolny	Moscow	Parents	Israel
Hillel Butman	Prisoner-of-Conscience	Wife, two children	Israel
Lazar Lieberman*	Leningrad	Son, grandchildren	Israel
Felix Aranovich	Leningrad	Mother,brother,wife,son	USA
Georgy Sokiriansky*	Leningrad	Father	Israel
Alexander Boguslavsky	Leningrad	Brother	Israel
Mira Geisberg	Leningrad	Husband	Israel
Alexander Feldman	Prisoner-of-Conscience	Brother	Israel
Vladimir Kislik	Kiev	Wife, child	Israel
Boris Levitas*	Kiev	Parents,brother,sister	Israel
Leonid Multakh*	Kiev	Parents	Israel
Zinaide Shamrai	Kiev	Husband	USA
Shmuel Bronfman*	Odessa	Parents	Israel
Yevgenny Lenchik*	Odessa	Wife's parents	Israel
Lev Roitburd	Prisoner-of-Conscience	Wife's parents	Israel
Leonid Nikulin	Odessa	Wife's parents	Israel
David Skulsky	Odessa	Mother	Israel
Alexander Magner	Odessa	Wife's parents	Israel
Anatoly Barsky *	Odessa	Father	Israel
Isaac Poltinnikov	Novosibirsk	Daughter, grandchild	Israel
Alexander Romm*	Kharkov	Parents	Israel
Boris Penson	Prisoner-of-Conscience	Mother	Israel
Israel Zalmanson	Prisoner-of-Conscience	Sister	Israel
Vulf Zalmanson	Prisoner-of-Conscience	Sister	Israel
Maria Fishkina*	Riga	Daughter	Israel
Daniel Forkash	Perm	Parents,brother	Israel
David Kadashev	Derbent	Brother	Israel
Azis Manashirov	Derbent	Parents	Israel
Mark Abramovich*	Kishinev	Parents Brother	Israel USA
Janna Dakol*	Kishinev	Parents	Israel
Yuri Shekhtman	Kishinev	Parents	Israel
Leonid Yakubovich	Kishinev	Wife's parents	Israel
Alexander Silnitsky	Prisoner-of-Conscience	Parents, brother	Israel
Yakov Potievski*	Rostov-on-Don	Sister	Israel
Yuri Vudka*	Prisoner of Conscience	Wife	Israel
David Kofmanski	Chernovtsy	Parents	Israel
Matus Rabinovich*	Krasnoyarsk	Daughter	Israel

NAME OF HEAD OF FAMILY	CITY	RELATIONSHIP	COUNTRY OF RESIDENCE
Abram Balshem	Tashkent	Daughter	USA
Michael Okun	Minsk	Sister	Israel
Michael Shtern	Prisoner-of-Conscience	Two sons	Israel
Simcha Agarunov	Derbent	Sister-in-law	Israel
Naum Kogan	Moscow	Son	Israel

All addresses of those refused above are available upon request.

* Have since received permission or emigrated as of January 21, 1977 (Ed. note)

SUPPLEMENT TO SEPARATED FAMILIES DOCUMENT

Among the number of clauses settled upon in the Helsinki Accord, there is one issue which has not attracted the necessary attention from those struggling for strict and complete fulfillment of all agreements attained in Helsinki. The problem concerns the partial reunification of divided families, and has bearings upon a wide range of individuals attempting to secure their rights to select their country of residence.

Despite a clause in the Helsinki Accord stating that the requests of those willing to reunite with members of their families shall be considered in a "positive and humanitarian spirit," emigration authorities in the Soviet Union more and more often consider only family applications, refusing exit visas (and more often even consideration for exit visas) to separate individuals willing to reunite with members of their families living outside the Soviet Union. There are many cases where legally grown people are refused their exit visas for the "reason" that their parents had not decided to leave or are not allowed to leave by the Soviet authorities. Often the parents are refused on the basis that their children are remaining in the Soviet Union. Even more frequently, refusals are given because of "inadequately close relationship" of those who have sent the invitation.. Even the official divorce of the married couple is not considered an adequate reason for the departure of one of the spouses when the other is forced to remain in the Soviet Union.

All of this illustrates the unprecedented government interference into the family sphere of its citizens. It also illustrates the usurpation of the right to decide with whom and why citizens should create and maintain the family. Such interference is unreasonable from both the legal and the moral point of view.

We would like to direct the attention of the governments of the countries which participated in the signing of the Helsinki Accord, and primarily the government of the Soviet Union, to the created conditions under which the agreements reached in Helsinki are used for the execution of the aims directly opposite from those seen by the authors of these agreements, and we call upon them to take practical steps to eliminate all possible barriers standing in the way of free emigration of individuals including those on the way to partial reunification of families.

In the addendum to this appeal, we have outlined the known (to us) examples of unlawful refusals in the permission to emigrate in order to achieve partial reunification of families. Since we have no power to obtain the officially complete data about refusals seeking permission to emigrate, we are forced to limit ourselves to only partial data which, according to our evaluation, represents only a small portion of the number of these unlawful refusals.

(Signed):

A. LERNER
V. SLEPAK
A. SHCHARANSKI
G. HASIN
N. HASINA
S. LIPAVSKY
I. NUDEL
D. BEILINA
B. CHERNOBILSKY
I. ROITBERG

N. KOGAN
J. GRECHANIK
Z. TESKER
L. GENDIN
B. FISHKIN
I. GOLDSHTEIN
L. BLITSHTEIN
B. FAIN
B. GROMLOVSKY
A. POLISHCHUK

I. TUFELD
B. BOGOMOLNY
L. ULANOVSKY
L. LUBLINSKI
I. ABRAMOVICH
G. VIGDOROV
A. DRUK
B. DROT
I. GOLDIN
L. OVSICHSHER

V. KISLIK
M. LUTSKER
B. ELISTRATOV
L. SHABASHOV
B. BELKINA
J. RAKHLENKO
M. RABINOVICH
and others.

ADDENDUM

1. ALEXANDER SLEPAK. Together with his wife were denied an exit visa apart from his father's family.

2. MARIA SLEPAK and her underaged son, LEONID, were denied an exit visa to her mother in Israel who is in very poor health.

3. ANNA GLEZER. The grown daughter of ILYA GLEZER (now in exile). She was denied an exit visa to her grandmother in Israel in spite of her father's permission. She was refused on the ground: that her departure would be "non-expedient."

4. LEONID TSYPIN. Born 1951, was denied an exit visa on the basis that he had no parents permission. He lives separately from his parents. His wife is in Israel.

5. VLADIMIR LERNER. Was denied an exit visa to join his sister in Israel without his father's family. Vladimir was born in 1946.

6. EUGENIA KERZHNER (born 1951) was denied an exit visa on the basis that she had no parents permission.

7. TAMARA KANDEL (Born 1936) together with her two children, were denied an exit visa apart from her husband, FELIX KANDEL. They have refused him since 1973 on the grounds that his departure would be "non-expedient."

8. MICHAEL YAKIR (born 1958) was denied exit visa without his parents. His parents were refused on the basis that their departure would be "non-expedient."

9. LYDIA VORONINA*(born 1947) was denied an exit visa on grounds that she had no permission from her mother. Her husband lives in Israel.

10. MICHAEL STOLYAR (born 1936) was denied exit visa on the basis of "the classified nature" of his mother's job. He has his parents' permission, and many relatives in Israel.

11..NATALYA VEBERSHTEIN (born 1914). In 1975 was denied an exit visa to join her husband who lives in Israel on the basis that she did not have her mother's permission. She has an eight year old child.

12. OLGA GUREVICH (born 1957). In 1976 was denied an exit visa on the grounds that she did not have her father's permission.

13. ALEXANDRA TZALKINA (Born 1944). She and her daughter were denied an exit visa in 1975 on the basis of the "classified" nature of her husband's (EITAN FINKELSHTEIN) job. She has her husband's permission to leave.

14. GALINA MENDZERITSKAYA*(Born 1943). In 1974 she was denied an exit visa, on grounds of the "classified" nature of her father's job. Her father gave her permission to leave.

15. ALEXSEI HVOSTENKO. In 1975 was denied an exit visa on the grounds that he had no permission from his ex-wife's parents to leave with his baby. He is divorced.

16. FELIX LERNER. In 1976, together with his wife and a child, were denied exit visa because "no family reunion was involved."

17. BORIS REZNIK. In 1976 he was denied exit visa because "no family reunion was involved."

18. VYACHESLAV NEPOMNYASCHI (born 1947) whose bride is in Israel, was denied exit visa in 1976 on the grounds that "no family reunion was involved."

19. ALEXANDER BERLIN. In 1976 he was denied exit visa on grounds that he did not have his ex-wife's permission.

ADDENDUM

20.. MEIER ERIKHMAN. In 1974 was denied an exit visa on the grounds that he "had nothing to do in Israel," and that he had no financial dependence on relatives in Israel. He was told: "Live and work in the USSR."

21. VICTOR ROITZAD (born 1946). In 1975 he was denied exit visa on grounds that he had his own family and he was able to live without his relatives in Israel. (His wife's parents live in Israel.)

22. LEV RAIBSHTEIN (born 1950). In 1972 was denied exit visa on grounds that his family lived in Russia. He was going to leave for Israel with his wife.

23. IDA ZELUVENS (born 1934) was denied an exit visa on grounds that her only relative in Israel was a "distant relative."

24. MEIR ZARETSKY (born 1932). In 1975 was denied an exit visa on grounds that "he had nothing to do over there."

25. MATUS RABINOVICH*(born 1928). In 1973, together with his wife and daughter, were denied exit visa first on grounds that Krasnoyarsk is "a closed city" and then that "there was no family reunion involved."

26. ELIEZER GURFEL (born 1959)was denied exit visa on the grounds that his father was not leaving. His father has been a "refusenik" since 1973.

27. MAKSIM GOLDOVSKY. In 1974 was denied exit visa because his father-in-law was missing since World War II.

28, 29, 30. MESHKAUSKAS, TATZAS, FIGURAS. All were denied exit visas on the basis of the "classified nature" of their relatives' jobs. All their relatives are adults and are not going to leave for Israel.

31. ALEXANDER FACTOR (born 1950). In 1976, together with his wife, was denied exit visa on grounds that his father had access to classified information. In 1970 his father left the family.

32. EDWARD PSHONIK (borh 1936) together with his wife and child were denied exit visa on the basis that his brother had access to classified information

33. LEV ZAICHIK (born 1949). In 1976, together with his wife, were denied exit visa on the grounds that "there was no family reunion."

34. EVGENNY TALAL (born 1945). In 1976 was denied an exit visa on basis that he has "distant relatives" in Israel (an uncle, a bride).

35. VICTOR GUREVICH (born 1930). In 1976 was denied an exit visa because his "mother-in-law was not planning to leave the Soviet Union."

36. NADEZDA SPIVAC. In 1976 was denied exit visa because "her parents were not going to leave the Soviet Union."

37. LEONID KESSELMAN (born 1949). In 1976 together with his wife and child were denied exit visa on the grounds that his brother had access to classified information. His mother and a second brother already have left the Soviet Union.

38. NINA MAIZEL. In 1974 together with her six other relatives were denied exit visas on the basis that "they did not have their parents' permission."

39. ILYA BARSKY (born 1954). In 1976 he was denied exit visa because his relative from Israel who sent him an invitation did not mention the place and year of his birth.

ADDENDUM

40. LEIB SPEKTOR. In 1976 was denied exit visa because he "had no relatives to go to." He had his parents permission.

41. NAUM VULFENSON (born 1941). In 1975 was denied exit visa on grounds that his father had "access to classified information."

42. ANDREI PETELIN (born 1945) Was denied exit visa on basis of the fact that his father had "access to classified information."

43. BORIS SHTERN. In 1975, together with his wife and two children were denied exit visa on grounds that "financially they did not depend upon their relatives in Israel and, therefore, they were able to live in the USSR."

44. ROSA SHNEIDER (born 1928). Together with her daughter, was denied exit visa on the basis that "they were able to live far from their relatives because they did not depend on them."

*Since this was written,received permission.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #5

Repression Against Religious Families

June 17, 1976

Members of the Group:

Aleksandr Ginzburg
Yuri Orlov

Soviet ideological policy requires a total immersion of the young in so-called Communist education. This ideological principle is supported by the corresponding articles of the Code on familiy and marriage. Article 52 of this code requires parents "to educate their children according to the morality of the builders of Communism." Article 59 "The deprivation of parental rights" establishes that "in accordance with the testimony of governmental or social organizations, one or both parents may be deprived of their parental rights if it is established that they" for example "exert a bad influence on their children by their amoral antisocial behavior..." Article 64 allows the court to decide to "take a child (away from its parents) without the deprivation of parental rights." There are also cases of deprivation of parental rights without taking away the child.

These extracts reveal the "legal" basis for decisions to take children away from their religious parents. In most cases of repression, this measure is used against members of religious "sects"--Baptists, Pentecostals, Adventists and others. This practice was wide spread in 1973-1974. After the signing of the Final Act for Security and Cooperation in Europe on August 1, 1975, there has been a decrease in established cases about the deprivation of parental rights because children were educated in a religious manner, probably because more revealing information has reached the West, causing a reaction in world public opinion.

However, on October 23, 1975 there was a court case on taking children away from their parents.

The Peoples'Court of the village of Staraya Vizha, Volinsk district, the Ukraine, decreed that the Baptist Maria Suprunovich have her three children taken away from her and that they be given over to their father who is probably an atheist.

Evidently, the court is guided by the article in the Ukrainian legal code which corresponds to article 64 of the Russian SFSR, and decided to first take away Suprunovich's children without depriving her of her parental rights.

Suprunovich sent a telegram to Brezhnev, Kosygin and Podgorny (with a copy to the attorney for the Volnynsk district) protesting the court decision. The case was transferred to the Commission on minors at the Starovyzhev Soviet of regional deputies, which decided to fine M. Suprunovich, to appeal to a court about the deprivation of her maternal rights, and to send her children to a boarding school.

After that, Maria Suprunovich sent a second telegram to the same addressees, announcing that in response to this inhuman decision she renounced her citizenship and demanded either to let her children remain with her or to allow them to emigrate to Canada where they have relatives. If her situation remained unchanged, she said she would turn to international organizations for help. This produced results. The answering telegram stated: "In response to your complaints and telegrams to the Soviet Supreme Court, the Central Committee, the Committee of Soviet Women, the editorial board of the journal, Soviet Woman, I announce that the decision of the

Peoples' Court of the Starovyzhev region of October 23, 1975 about giving your children to the custody of their father will not be carried out, the children will live with you. The first deputy attorney of the region, Senior Counselor of Law, P.G. Dumalo."

However, the decision of the court was not repealed. This means that the sentence still hangs over the children--they may be deprived of the care of their own mother. Therein (one sees that) decisions made before August 1, 1975 on the deprivation of parental rights and the taking away of children still remain in effect. At the present time, there are families which are forced to hide their children from the executive organs, and families which live with the threat of having their children being taken away at any time, as soon as they will be caught in the act of ~~for~~ conducting religious rites.

We give here the most representative examples.

1. Pentecostals Nikolai and Nina Muravlev, who have seven children, were deprived of their parental rights in 1974. Their children were not taken away; the decision remains in effect. Their address: 114 Dieva Street, Saratov.

2. Adventist, Maria Vlasyuk, mother of two children. In April 1975, the court took away her daughter without depriving her of her maternal rights. The address of the Vlasyuks: Ilyatka selo (village), Starosinyav region, Khmelnitskaya oblast, the Ukraine.

The Starosinyavsky department of popular education sent to the Peoples' Court a statement which demanded that both son and daughter be taken away from the Vlasyuks.

The determination of the court collegium for civil matters of the Khmelnitskaya oblast court announced on May 27, 1975:

"A DECISION

"in the name of the Ukrainian Soviet Socialist Republic, 1975
The Court Collegium for Civil Matters of the Khmelnitskaya oblast is composed of: Presiding Judge I.S. Matrevich; Members of the Court: E.A. Kanatska and V.T. Tarasyuk; with participating attorney, A.V. Romanovska.
Examined in open court session in the city of Khmelnitsky, a civil matter concerning the appeal of Maria Ivanovich Vlasyuk on the decision of the Peoples' Court of the Starosinyavsky region on April 16, 1975, in the suit of the Starosinyavsky regional division of popular education against Maria Ivanovna Vlasyuk on the deprivation of her parental rights.

"Having heard the witnesses, the evidence of the defendants, the conclusion of the attorney, proposing that the decision of the court remain unchanged, having examined the materials of the case, the court collegium has established:

"in March 1975 the Starosinyavsky department of popular education presented a suit against Maria Ivanovna Vlasyuk about the deprivation of her parental rights in relation to her children Svetlana and Victor, citing the fact that the defendant, as a member of a religious sect which is not registered in the manner prescribed by law, does not allow Svetlana to go to school, physically exhausts her in fasts and religious rites, exerts a harmful influence on her, and that therefore it is dangerous for the children to remain under the care of their mother.

"The Starosinyavsky regional Peoples'Court, in its decision of April 16, 1975 took away from Maria Ivanovna Vlasyuk her daughter, Svetlana Vladimirovna (date of birth October 12, 1965) without deprivation of parental rights and gave her to the custody of the guardianship organs.

"In her complaint to the Court of Appeals, M.I. Vlasyuk wrote that she considers the decision of the court unjust, asks it to reverse its decision and to leave her daughter in her own care, insofar as she has brought her up correctly according to her religious convictions and that no one has the right to deprive her of her right to educate her child as she feels is proper, since this is an infringement of her rights as a citizen.

"The appeal to the Court of Appeals was denied. Corresponding to Articles 61 and 64 of the Ukrainian Code on marriage and the family, parents must educate their children according to the moral code of the builders of Communism, take care of their physical development, teach and prepare them for socially useful activity, and (obliged to) send minor children to school in accordance with the law on the universal obligation for education.

"As was established during the examination of the case, the defendant did not let her daughter, Svetlana, go to school on Saturdays, and forbad her to participate in the social life of her class and school. The defendant drew Svetlana into the practice of various religious rites, inspired in her anti-scientific, distorted perceptions of life and her surroundings. Examination of Svetlana Vladimirovna's characteristics as presented by her school, (shows) that the sect of which the defendant is a member, has influenced the child's psyche--the girl is silent, withdrawn, scared, refuses to talk, frequently is lost in thought and forgetful and always excited. From the information of the regional pediatrician, it is evident that her mother and grandmother have a destructive influence on Svetlana Vlasyuk. The girl stubbornly and automatically repeats the religious dogma suggested to her, she manifests split views on events and on her surroundings. The girl is withdrawn, irritable, repressed. According to the decision of November 14, 1973 of the commission on minors, it is evident that the daughter of the defendant is often absent from school and the defendant does not intend to send her to school on Saturdays either now or in the future. From the proceedings of February 8, 1975, composed of representatives and deputies of the village Soviet, it follows that Svetlana Vlasyuk is not given the necessary conditions for study at home--she prepares her lessons in the kitchen, standing at a tall cabinet.* Upon examination of the case, it was also established that, due to her religious convictions, the defendant deprives her daughter of animal products, as a result of which the girl is exhausted, besides which she has heightened irritability, the information of the regional pediatrician of January 2, 1975 confirms that she needs treatment at a first aid station, as he explained during court sessions.

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* Svetlana's report card showed excellent or good grades for all subjects except singing in 1974-1975.

"The representative of the guardian organs in court session, concluded that it was dangerous for Svetlana Vlasyuk to be left in the custody of her mother and that it was in Svetlana's interest to be taken away from her mother and to given over to the guardianship of the organs of care and trusteeship.

"In these circumstances, the court correctly reached the conclusion that Svetlana Vlasyuk's interests were best served by taking her away from the defendant without depriving her of her final parental rights. In relation to her son, Viktor, there were no grounds for taking him away from his mother since there were no respondents and materials did not establish that his remaining in the custody of his mother was dangerous for him, and therefore the court correctly refused that part of the suit.

"The decision of the court responds to the materials of the case, Article 76 of the Code on marriage and the family of the Ukraine, and the court collegium does not find a basis for changing the decision.

"Being guided by Articles 310 and 311 of the Criminal Code of the Ukraine, the court collegium has found: Maria Ivanovna Vlasyuk's complaint to the Court of Appeals will not be granted, but the decision of the Starosinyavsky regional Peoples' court of April 16, 1975 remains unchanged.

"Residing---signature
"Members of the Court---2 signatures

"True copy
"Peoples' Court---signature
"Secretary---signature"

The residents of the village of Ilyatka produced the following testimony to which they were eyewitnesses:

"July 15, 1975, in the village of Ilyatka in the Starosinyavksy region of the Khmelnitsky oblast, the organs of the militia exercised cruel artbitrariness against an inhabitant of the village, Maria Ivanovna and her ten-year-old daughter, Sveta.

"And it was like this. On July 18 at 6 o'clock, Senior Lieutenant Stepan Aleksandrovich Kuzmich of the local district militia, drove up to the Vlasyuk house on his motorcycle. A while later, the head of the militia drove up on his sidecar.

"Their arrival brought other villagers to the Vlasyuk house and the head of the militia cursed them, telling them to leave. Senior Lieutenant Kuzmich quieted down the people who had assembled, deceiving them by saying that nothing in particular was going on--they had simply come from the regional Department of Peoples' Education in order to see if Sveta were at home.

"The real reason for the arrival of the officers was quite different. They needed deception, cunning and strength to take a girl away from her natural mother, to deprive the mother of her real daughter and thereby to carry out the illegal and inhuman decision of April 24, 1975 of the Khmelnitsky oblast court, according to which her daughter, Svetlana, must be given over to the trusteeship of the guardianship organs because her religious mother, M.I. Vlasyuk, was educating her daughter in the same spirit.

"When this cruel decision had been reached, naturally the mother took Sveta away from the village of Ilyatka because she was afraid to lose her daughter. Senior Lieutenant Kuzmich came to her house several times and demanded her daughter. His visits ended with the mother fainting. She answered him by saying that she would not give up her daughter. He then started saying that she had made a sacrificial victim of her. 'Only show her to me so I can be sure that she is alive.' That false rumor quickly spread throughout the village. M.I. Vlasyuk says that she could show him her daughter but only if he signed a promise that he will not take away her daughter. He signed such a promise. Here are its contents:

Receipt

'Given by Stepan Aleksandrovich Kuzmich that the Starosinyavsky division of the militia will not take away the child, Svetlana Vlasyuk from her parents before the court decision has the force of law.

'Receipt given in the presence of V.K. Konstantinov, Senior Lieutenant of the militia.

'Senior Lieutenant--signature
'Senior Lieutenant--signature'

July 14, 1975
(Original receipt in the possession of M.I. Vlasyuk.)

"As you see, the receipt was given only in order to deceive the mother since she trusted this receipt from the authorities and brought her daughter home in order to dispel the false rumor that she, a mother, had made a sacrificial victim of her own daughter.

"This is what happened next. The head of the militia, using his authority, scattered the people who had assembled. But the people did not disperse. He ordered Maria Iv. Vlasyuk to go into a room, but Sveta seized hold of her and began to shout 'I won't leave my mother!' Then the head of the militia went off somewhere and quickly returned even more angry. He continued to shout at the people, insulting them in many ways and yelling at Maria--'It's all the fault of your Saturdays. You used to be a person, but not any more. We'll take away your child and that's it!'

"The people around began to shame him by saying 'That's how the Germans took away our children during the war!' After that, he disappeared again, soon returning with a certain Melnik, who instead of saying 'hello' began to shout also 'What is this for a gathering! Everyone will be on my list!' And he pushed apart the crowd and shouted 'Get on home!'

"Then Melnik and other people approached Sveta. She started to run away. Melnik chased after her. She began to scream. M.I. Vlasyuk, when she saw this, could restrain herself no longer. Her heart being overstrained, she fell to the ground unconscious. Melnik, when he saw this, began to run away--back to his car and after him his helpers and the head of the militia, and they all quickly departed.

"A local doctor, Nadezhda I. Vasilchuk, was called to attend to Maria Vlasyuk and she brought her back to consciousness.

"The last to leave was Lieutenant S.A. Kuzmich. After all that went on, the second deputy secretary of the regional Communist Party went to a neighbor of the Vlasyuks and asked her 'Well, has she regained consciousness?' The neighbor replied that there is a doctor with her, but she still feels badly.

"Judging from the question of the deputy secretary, one imagines that she met the departing 'fighters' for the 'happiness' of the girl and they told her that the mother had fainted and that she go to find out if she has come around yet.

"Such cruelty in our 20th century and in our most democratic and freedom-loving country! Is it possible that Senior Lieutenant S.A. Kuzmich, the head of the militia of the Khmelnitskaya oblast court, Supreme Court of the Ukraine, which all unanimously set into motion the lies, cunning and strength in order to take a girl away from her religious mother (who is a Seventh Day Adventist) do not know such laws of Soviet and international significance as 'The Decree on the Separation of Schools from the Government and from the Church' and the 'Convention on the Struggle against Discrimination in the area of Education' in which is recognized for all citizens the absolute right to believe and to practice their religious cult in absolute freedom and to educate their children in the same spirit. Somehow someone should take care that they are informed of these humane laws in order that they themselves follow them and watch out that others did so.

"There were numerous witnesses of this arbitrary action. Here are some of them: 1. Ekaterina A. Rivnyak 2. Nadezhda A. Sivoplyag 3. Galina A. Korol 4. Tatyana I. Semenko 5. Galina A. Kurt 6. Zoya S. Mazur 7. Zinaida I. Vovchik 8. Anna V. Mulyar 9. Marfa K. Revnyuk 10. Fedora R. Pasyuk 11. Akulina S. Vasilchuk 12. Aleksei D. Gerasimchuk 13. Maria S. Gerasimchuk 14. Nikolai A. Gerasimchuk 15. A. F. Vasilchuk 16. Evgeni V. Rivnyuk 17. Feodosiya N. Tomchuk 18. Nadezhda I. Onufrievna 19. Nadezhda I. Vaselchuk.

"We now ask and demand that M.I.Vlasyuk and her children be given the opportunity to live peacefully and freely as equal citizens in our country. (M.I. Vlasyuk) was and is an exemplary and industrious inhabitant of our village. For her model life and labor she was earlier chosen as one of the deputies to the local Soviet. Little Sveta is an exemplary child at school, both in her school work and behavior. Whom are they bothering?

"July 2-, 1975
"Witnesses of the village of Ilyatka."

-4-

The evidence of numerous witnesses describes the very strong administrative and other pressures which are brought to bear on parents(and their children)who are educating their children in a religious spirit. The Soviet of relatives of Evangelical and Christian Baptists appeals to world opinion:

"We request you to pray and make appeals for the abolition of intent and decisions to take children away from religious parents and to deprive them of their parental rights because of their Christian upbringing:

"Andrei Ignatevich Petrenko, 8 Lazo Street, Korosten, Zhitomirskaya oblast; children: Valya, 14 years old, Yulya, 11 years old, Lyuba, 10 years old.

"Aleksandr and Nina Nazaruk, living in the city of Zdobulnov, were threatened with being deprived of parental rights because they educate their children in a religious manner. The decision was reached at a general meeting of the Zdobulnov hospital in the dentistry clinic where Nazaruk works. They have 11 children.

"Ekaterina Stepanovna Zhivotyagina, residing at 11 Gizhinsky Street, Shepetovka, Khmelnitskaya oblast. Her sister and brother beat her and the authorities threaten to take away her children and try to put her in a psychiatric hospital. She was forced to leave home at night with her children. She asks for the right to live at home without persecution.

"Baptist Vladimir Pavlovich Khailo and his wife Maria Emelyanova, who have 11 children, wrote an open letter on January 13, 1976 to the 'Heads of 35 Nations which signed the human rights document in Helsinki.' A part of this appeal says: 'Already several years ago the KGB warned me that my children will have the path to education and employment closed to them.' The Khailo family asks for a vyzov (invitation from a relative abroad) in order to 'leave the USSR, give up (Soviet) citizenship and become a citizen of any capitalist country.'

"Baptist A.I. Petrenko and his wife Natalya, who have 3 children, appealed to Brezhnev and Podgorny on June 5, 1976 'with a request to defend our children from the intent and decision of the administrative commission of the Executive Committee of the city Soviet of the city of Korosten, of the pedagogical collective of School # 8, and the shop meeting of the workers of the locomotive depot--to take away their parental rights for their children, because they did not want to join the Pioneers.' 'Is it possible that in our humane country there exist such bestial laws--to deprive parents of children because they are brought up in a Christian family?'...'The decision of the administrative commission is that if I do not change my convictions in a three month period, then they will "isolate" (my children). At a meeting of the factory shop where Petrenko works, the foreman suggested "to carry out....a decision that if I do not change my beliefs, to deprive me of my parental rights."'

"In a separate letter of March 14, 1976, Natalya Petrenko wrote: 'At school #40, the school director, P.N. Lyakh, tells the children all kinds of nonsense and lies, giving a pretext to hit and laugh at our children. The geography teacher calls our son an enemy of the people and a beast...'"

Address of Andrei Ignatevich Petrenko: 8 Sergei Lazo Street, Korostel, Zhitomirskaya oblast.

The Bulletin of the Soviet of Relatives of Prisoners of Evangelical Christian Baptists in the USSR #33, page 51, published the letters of the Baptist, Kazimira Zhivotyagina. She resides at 2 Gizhitsky Street, Shepetovka and has two children. A school teacher, she announced in April 1975 that she is a religious believer. After that, the administration and her own relatives decided to send her to a psychiatric hospital and to deprive her of her maternal rights. "Who gave them the right to deprive me of my maternity only because I believe in Christ?" "As a result of all this, from May 4 to 5, 1976, I was forced to leave my house together with my children. The next day, as I was told, representatives of the childrens' room of the militia appeared at my house and posted guards. I do not know their purpose, but obviously their intentions were not kind. Just now the children have been taken away from their school."

Baptist Nadezhda Lebedev, residing at Section 54, #7 Brest-Litovsky Prospect, Kiev. 4 children. On May 28, 1976, she appealed to the Representative of the Soviet of Ministers, Kosygin, and others, with a letter which reads in part: "My children are completely deprived of the right to receive higher and middle education. The children were forced to take recommendations based on their beliefs."

Adventists announce that the following people are under the grave threat of having their children taken away:
Nina Timofeevna Bezdushnaya, Bochkovsta, Khotinsky region, Chernovitskaya oblast.
Polina Trofimovna Neverova, 87 Shlyuzovaya Street, Zeleny Gorod, (suburb) Krivaya Roga.
Eva Vasilevna Moiseevna, 1 Rubatsky Pereulok, Koshekhabl Aul (village) Adygeiskaya avtonomnaya oblast.
Olga Grigorevna Dmitrenko, 51 Artema Street, Kramatorsk.
Lidiya Grigorevna Gateks, Banilov (village), Podgorny Storotensky region, Chernovitskaya oblast.
Vasili Vasilevich Shendrik, 5 Gaidar Street, Russkaya Polyana (suburb), Cherkasa (city)
Petr Pavlovich Lidenko, 10 Khmelnitsky shosse, (first proezd) Vin-

nitsa.
F. Stotsky, 16 Sverdlov Street, Elsk, Gomelskaya oblast.
Valentina Mikhailovna Velichko, 13 Shevchenko Street, suburb-----, Cherkasskaya oblast.
Roman Petrovich Gop, Telman village, Lugovsky region, Dzhambulskaya oblast.
Maria Brezhnova, suburb Bely Piket, Keminsky region, Kirghiz SSR.
Polina Karpovna Ratushnaya, Dzhambul (city).
Roza Davidovna Shtark, Merke (village), Dzhambulskaya oblast.

V.V. Shendrik wrote to the procurator of the USSR: "April 8, 1976 in the enterprise where I work as a joiner, a meeting was held...At this meeting, I was accused of bringing up my children in a religious spirit...Comrade Chernovsky, candidate in philosophy, called me an enemy of the people in his speech which stirred up the anger and hostility of the whole meeting against me. One woman worker shouted: "(Two words are incomprehensible) he has not crippled them, he has not choked their consciousness with a religious narcotic." Another worker, who is really a morally dissolute woman, swore at me roundly and shouted: "Let's have less talk and give him a bullet in his forehead..." In a voice vote, they adopted a final resolution, demanding a change in my religious views and beliefs and if I did not change them, then depriving me of my parental rights."

From the city of Dzhambul, Kazakhstan, they announced: "In school #20 of our city Emma Davidovna Gomer, 11 years old, who lives at 45 Dobrolyubova Street. The class director, teacher Milena Yunokovna in front of the whole class, constantly discriminated and poked fun at Emma Gomer and finally said to her in a threatening way: 'We'll write an indictment of you and at the Regional Executive Committee they'll put you on trial.' These words were soon put into effect. And on the next day, January 20, 1976, Emma Gomer, a student in the 5th grade, received a summons, signed by the secretary of the Executive Committee, R. Asmanova, informing her that she had to appear at the Executive Committee of the Zavodsky regional soviet of workers' deputies at the court of the administrative commission. And all this is only because Emma shares the purely religious views and beliefs of her mother and on Saturdays does not attend school."

According to the evidence of Adventists, the school director in a suburb of Frunze, Chon Aryk, Kirghiz SSR, Sergei Davydovich Manin told a 15 year old daughter of an Adventist, Irina Lutsenko, "I've shot 2 people like you, and you I'd send to a special school - a children's colony".

Other forms of repression from which children suffer indirectly: the arrest of family providers for their religious convictions; the demolition of a house in which a family lives if in that house prayer meetings were held; systematic fines.

Practicing Adventists from the village of Belovodskoe in the Kirghiz SSR announce; "Marie Yakovlevna Bakhareva, mother of 5 children. Over a period of already several years, she is constantly threatened and administratively harassed because she is a religious person and her children do not go to school on Saturdays due to their religious beliefs. When she was ill and had little money, she had to pay a fine which the tax commission had levied on her purely because of her religious convictions. She had nothing with which to pay. Then the commission went to her home in order to take some domestic items, and, evaluating them, to thereby pay the required tax. But, not finding anything valuable - Bakhareva was poor - the dissatisfied members of the commission left."

Information about this case (with a request to get involved and defend Bakhareva) was contained in a letter to the Representative of the Soviet of Ministers of the Kirghiz SSR, written by A. Khmara, a Communist who does ideological work with religious believers in Leningrad, who happened to be in the village of Belovodsk.

Repression of religious families, including the taking away of children, is part of a general calculated policy which has continued over decades. Actions such as the taking away of children are a complete contradiction to the Soviet signing of the Final Act at the Conference for Security and Cooperation in Europe, particularly with Point 7 of Article I(a) of the Final Act, according to which "The participating States will recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief, acting in accordance with the dictates of his own conscience."

One must emphasize, furthermore, that by expressing particular concern about divided families (under "Cooperation in humanitarian and other fields" - point I-B) the spirit of the Final Act reveals an obvious assumption about the inadmissibility of the forcible separation of families for ideological reasons inside one country.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #6

On the Situation of Former Political Prisoners in the USSR

August 1, 1976

Lyudmila Alekseeva
Aleksandr Ginzburg
Malva Landa
Yuri Orlov
Anatoly Shcharansky

The majority of political prisoners presently confined in camps and prisons in the USSR have been prosecuted according to Articles 64, 70, and 190-1 of the RSFSR Criminal Code (or the corresponding articles of the Criminal Codes of the Union Republics)--that is, for "high treason," "anti-Soviet agitation and propaganda," or for "the spreading of deliberately false fabrications damaging to the Soviet state and social system." Acts according to Articles 64 and 70 belong to the category of "particularly dangerous state crimes."

Attempting to cross the Soviet border, not returning from a Capitalist country, activities (even peaceful) connected with the wish of non-Russian nations that are part of the Soviet Union for national state self-determination all qualify as "high treason." The expression or dissemination of independent opinions and information and the keeping of corresponding literature and documents is considered as "anti-Soviet agitation and propaganda." Article 64 proposes up to fifteen years imprisonment or even execution; Article 70, up to seven years imprisonment plus up to five years exile· Article 190-1, up to three years imprisonment.

However, punishment according to these articles is in fact not limited to long terms of imprisonment. Cruel discriminatory measures, not stipulated legislatively, but based on secret (that is unpromulgated) instructions, are drawn out for many years and sometimes for decades after the expiration of the sentence set by the court. Among these discriminatory measures is the injunction against living in cities, regions, and districts, a list of which is determined by special government decisions. This list includes Moscow and Leningrad, the capitals of Union Republics, "régime" cities (that is almost all large cities of the USSR), and border regions. This is a direct violation of the right to choose one's place of residence and for many who have been released is extended to the prohibition of joint residence with one's family, or a forced division of the family.

These restrictions were introduced in Stalinist times and have not been changed since. Moreover, in 1966, they were supplemented by resolutions on the introduction of so-called administrative surveillance of those who when imprisoned "did not follow the road of reform." With respect to political prisoners, this means only one thing: that the individual did not alter his convictions.

The ban on free choice of residence after release is a prolongation of the political prisoners' punishment for his convictions. Many political prisoners, even shortly before their term has run out, are persuaded to appeal for pardon--that is, to admit those acts for which they were convicted to be crimes and to show repentance. If the political prisoner agrees to this, he is pardoned and released. This changes his status when he is at large: he can choose his place of residence and he is not placed under administrative surveillance. As a rule, obstacles are not placed before him when he is looking for work.

In the resolution of the USSR Council of Ministers of August 28, 1974, "On Some Rules for Citizens' Registration" (published in Sotsialisticheskaya zakonnost' in 1974, No. 12, p. 70), there seems to be some apparent progress towards mitigating the constraints on former political prisoners in selecting a place of residence. Section "z," Point 1 of this resolution proclaims that persons released from places of imprisonment should return to "the dwelling space occupied by members of their family or relatives with whom they have been living up to the time of their conviction." This of course does not solve the problem. But fulfillment of this point of the resolution would have ensured the desired place of residence for a certain number of those who were released. This was the case with Ivan Kandyba ("high treason," sentence: fifteen years) and with Nadezhda Svetlichna ("anti-Soviet agitation and propaganda," sentence: four years in a strict-régime camp). Kandyba was arrested in 1961 in L'vov and dreamed of returning there where his seventy-five-year-old father and other close relatives lived. Nadezhda Svetlichnaya wanted to return to Kiev, where, until her arrest, she had been living with her brother's family and with her young son. They were both released from camp in 1976--that is, after the Council of Ministers resolution "On Some Rules for Citizens' Registration" went into effect. But they did not manage to settle where they wished.

The reason is that besides the four promulgated points of the aforementioned resolution, there are the unpromulgated Points 5-10 ("the secret law"!). Point 5 contains a list of persons for whom the restriction on residence rights remains as before. We shall cite this list in its entirety:

> ...persons recognized by the court as particularly dangerous recidivists and persons who have served their sentence in the form of imprisonment and exile for especially dangerous state crimes,* gangsterism, activities disrupting the work of corrective labor institutions, mass disorders, violations of rules of currency operations under aggravating circumstances, embezzlement of state or public property on a

> particularly large scale, robbery under aggravating circumstances, rape committed by a group of persons or entailing especially grave consequences and likewise the rape of minors, encroachment upon the life of a militiaman or people's druzhinik, the spreading of deliberately false fabrications damaging to the state and social system."**

The category of persons to whom these restrictions do not apply and who are permitted to move to the place of residence of their family and relatives with whom they had been living until the time of their conviction is enumerated in Point 6. Among these are included those released on pardon, men over sixty and women over fifty-five, and women with young children.

Ivan Kandyba, who had read the promulgated part of the resolution while still in prison was certain that he would live in his native city with his father--indeed he could not have known about the secret Point 5! But, according to this very point, he was forced to settle twenty kilometers from L'vov in the settlement of Pustomyta.

"I arrived in Pustomyty, where neither I nor absolutely any of my acquaintances had ever been, not to mention you who are close to me," writes Kandyba to his Moscow acquaintance. "...I feel very lonely here, morally depressed, everything is foreign to me here, and I am foreign to everything. I am some sort of alien body."

He looked for living quarters for three weeks. Finally, he rented a small room in an old house for 25 rubles a month. The day after he found a place to live he was placed under administrative surveillance for half a year. He writes:

> They imposed restrictions on me.
>
> 1. It is forbidden to leave the limits of Pustomyty, even to go to the neighboring village, not to mention L'vov. This in itself deprived me of the right to visit

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* That is, convicted according to Articles 64 and 70.

** That is, convicted according to Article 190-1.

> my lonely seventy-five-year-old father, to use the river, the lake, walk in the woods, not to mention to go to the sea, the mountains, and so forth. This in itself deprived me of the right to visit the theater (because in Pustomyty there is none), or to go to a sanitarium for a cure. I am actually in exile.
>
> 2. It is forbidden to leave the house between 9 o'clock in the evening and 7 in the morning. This is tantamount to house arrest.
>
> 3. It is forbidden to visit public houses. But since I do not touch alcoholic spirits, am a nondrinker and not a drunkard, as they well know, this is either a mockery or a form of humiliation, I do not know which.
>
> 4. I am obliged to register at the militia every Wednesday; for the time being, this is for a six-month period, which may be prolonged for another six months and so on right up to the expiration of my term of conviction, which ends in eight years.

Kandyba further describes his ordeals in seeking work:

> As a lawyer by profession, I appealed to the justice organs, where I was refused for reasons such as: lack of vacancies...after a month and a half of pounding the pavements and nervous strain they finally took me on May 18 as a trainee for repairing complicated household equipment (electric razors, irons, washing machines, refrigerators). The training period is three months. They pay 60 rubles the first month, 45 the second and 30 the third, and then you are paid according to your work. Matters relating to electricity, which I do not understand and even fear, are especially hard for me. Therefore I don't know what kind of a master I shall make. All this depresses me. I am not interested in it. Thus I am forced to live where I am told and to work where I am assigned.

Kandyba concludes:

> My sentence is up, I served my term and was released from prison but am not at liberty. There I lived within a radius of 200 meters; here my movement is restricted to within this small settlement. There I was not entitled to go from the barracks into the zone; here I am not entitled to leave the house between 9 o'clock in the evening and 7 in the morning. There I could enter the barracks at any time; here I am allowed to enter the apartment at any time. There one was forced to work; here as well. There they followed each step; here as well. From there I was not allowed to visit my relatives; here as well. There they offended my dignity; here as well, etc. It has turned out that I did not go free but moved from a zone with a strict régime to another zone with the régime as well.

It would seem that Nadezhda Svetlichnaya could have been certain that she would be allowed to live in Kiev with her relatives, even if she had been able to familiarize herself with the secret part of the government resolution: she has a young child and subsequently falls into the category of persons allowed, according to Point 6, to live with their families wherever they may be. Nonetheless, Svetlichnaya, who was released in May, has still not been permitted to settle in Kiev. She has been forced to go to the village where she was born but where she has not lived since her early youth.

We have cited only two examples of the flagrant violation of the right to choose one's place of domicile and the forced division of families of former political prisoners. This, however, is the fate of almost all those punished in accordance with the "political" articles and not appealing for pardon.

We shall cite what is far from a complete list of such persons: Nina Strokata, Levko Luk'yanenko, Ivan Vernik, Aleksandr Chekalin, Aleksandr Romanov, Vitalii Kalinichenko, Georgii Davidchenko, Leonid Borodin, Nikolai Ivanov, Vyacheslav Rodionov, Georgii Gladko, Valerii Rumyantsev, Valerii Graur, the brothers Goryn, Taras Mel'nichuk, Ekaterina Zaritskaya, Dar'ya Gusyak, Vyacheslav Repnikov, Ivan Cherdyntsev, Aleksandr Petrov-Agatov, and others.

We again stress that administrative surveillance for political prisoners and all restrictions on choice of place of residence are in flagrant violation of the humanitarian articles of the Final Act of the Conference on Security and Cooperation in Europe signed by the Soviet government.

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A year and a half ago Anatolii Marchenko received a sentence of four years in exile "for violating the rules of surveillance." Yurii Fedorov, who was released from imprisonment a year and a half ago, was arrested on the same charge in Luga, Leningrad oblast (Article 70 of the RSFSR Criminal Code), and this is not the only case.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI
AGREEMENTS IN THE USSR

Document #7

New Arrests on Charges of Religious or Propaganda Activity

October 12, 1976

Members of the Group:

Lyudmila Alekseeva
Aleksandr Ginzburg
Malva Landa
Yuri Orlov
Al. Korchak
An. Shcharansky
V. Slepak

1. General remarks

According to our (always incomplete) information, the number of people arrested under political and religious articles (of the criminal code) in the last three months is already greater than the number of people arrested in an eleven month period (August 1, 1975 to July 1, 1976) which immediately followed the signing of the Final Act.

The stepping up of repression in the USSR we explain in the following way: the authorities have hopes that the pre-election battle in FRG (West Germany) and especially in the USA will distract attention of western public opinion away from violations of human and civil rights in the USSR.

The arrests, searches, interrogations, and also psychiatric repressions (see Document # 8) which have been undertaken, are a crying violation of "the freedom of the individual to profess or practise, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience." (Final Act, division 1a, point 7)

2. Arrests of Baptists

The Bulletin of the Soviet of Relatives of Prisoners (who are) Evangelical Christian Baptists #35 and #36 describe a new wave of arrests and other repressions against Baptists. This wave was certainly not nearly as strong in the first half of 1976. In general, this picture fits well into the schema which was described in the report of July 22, 1976 of the Group to Promote ("An Evaluation of the Influence of the Helsinki Agreements as they Relate to Human Rights in the USSR.")

We give here a list, evidently incomplete, of those Baptists who have been arrested and sentenced to date.

"Barin, Ekaterina of the city of Zdolbunovo, Ravenskaya oblast, sentenced to 2 1/2 years for private instruction of religion to her children (August 3, 1976).

Serebrennikov, Petr, 76 years old, of the village of Ivanovka, Azerbaidzhanian SSR, sentenced to five years with confiscation of property (July 21, 1976).

Serebrennikov, Ivan, same place of residence, arrested July 20, 1976.

Leonteva, Maria, 64 years old, same place of residence, arrested July 20, 1976.

Ermolova, Anastasiya, same place of residence, arrested July

20, 1976. This woman is the mother of seven children.

Shtefen Ivan, priest from the city of Isyk, Kazakh SSR, arrested July 13, 1976."

#3 Case #62

As was already communicated, in September 1976, a series of searches was conducted in Leningrad and Moscow; two artists were arrested--Oleg Volkov and Yuri Rybakov who were charged with writing slogans on the walls of the city of Leningrad. In part, the slogans were in defense of Andrei Tverdokhlebov (during his trial) and slogans demanding the freeing of political prisoners of the Soviet Union. Yuliya Voznetsenskaya (Okulova) and Natalya Lesnichenko (Gum) were also involved in criminal responsibility in this matter.

We wish to draw attention to the fact that 60 years after the assumption of power of the Communist Party and 40 years after the publication of the present constitution, citizens of the USSR do not have a normal possibility for practicing their "rights and freedoms all of which derive from the inherent dignity of the human person." (Final Act, 1a, VII)

Freedom of speech, press, meetings, political gatherings, processions and demonstrations are formally secured in article 125 of the constitution of the USSR, which even requires that the government make available for this "printing presses, paper supplies, public buildings, streets, means of communication", etc.

Instead, over the last 60 years, it has become evident that these freedoms do not exit for those whose opinions differ from those of the government.

#4 Trial of Pavel Bashkirov

From October 7 to 8, 1976, P. Bashkirov was on trial in Yakutsk. Part of the charges against him was that he had brought uncensored (anti-Soviet) literature to his exiled friend, Andrei Tverdokhlebov.

We wish to bring attention to the fact that Bashkirov was even denied the right to choose a defense attorney. He was sentenced to imprisonment for one and one half years.

#5

In Kazakhstan in July, 1976, the German Lilya Furman was arrested for renouncing her Soviet citizenship and for her actions expressed in conversations, written statements, appeals, etc., connected with the movement of Soviet Germans to leave the USSR.

#6

On October 6, 1976 the former political prisoner, Mart Niklus, was arrested in Tartu. His previous sentence , which was from 1957 to 1967, was for the charge of "anti-Soviet agitation and propaganda". Niklus, who by profession is an ornithologist, has not had the possibility of working in his specialty since the end of his prison term.

Therefore, taking into account the information which we have previously received, the overall number of people arrested for political, religious and nationalist motives after August 1, 1975 to the present day is not less than 17 people (and of them, 13 have been arrested in the last 3 and 1/2 months) plus 6 people who have been put into special or general psychiatric hospitals.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #8

On the Abuse of Psychiatric Hospitals

October 12, 1976

Members of the Group:

Lyudmila Alekseeva
Aleksandr Ginzburg
Malva Landa
Yuri Orlov
Al. Korchak
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The Group to Promote Observance of the Helsinki Accords in the USSR

Document # 8

On the Abuse of Psychiatric Hospitals

Recently, the Group to Promote appealed to the Soviet Supreme Court and to the American Congress with a suggestion to create a combined commission to investigate instances of abuse of psychiatric hospitals. In this document, the Group informs about cases known to us of facts of psychiatric repression which have recently occured.

Petr Starchik, composer and singer, on September 15, 1976 was placed--with the help of the militia--into a psychiatric hospital in Moscow. A few days later, he was transferred to a psychiatric hospital in Stolbovaya, more than 50 kilometers outside of Moscow. Only his wife was allowed to visit Starchik. The events which led to the hospitalization of Starchik have already been described in the world press. Recently it became known that Starchik is already being treated with haloperydol in considerable doses.

That the hospitalization of Starchik is an act of political repression is evidenced, in addition to the previously named facts, by the entry in the admission journal for Petr Starchik:

> 'S.O. is socially dangerous. Placed in PB (psychiatric hospital) in Kazan for compulsory treatment for article 70. Released from the PB #15 in 1975. Lately composes songs of anti-Soviet content, collecting in his apartment groups of 40-50 people. Under examination, he is oriented. He has no major lapses of consciousness. Contact is formal. He is suspicious. He answers questions monosyllabically. He does not deny having composed the song "I have my own view of the world". He is uncritical.'

P. Starchik resides with his wife and two minor age children at the following address: Teplyi Stan, section 98, apartment III, Moscow.

Eduard Fedotov, was a priest in Pskov. He went to Moscow when he learned of the repression of Orthodox (in part, A. Argentov, who had been forcibly hospitalized in the psychiatric hospital #14 in Moscow; and who was released in August, 1976). In Moscow, Fedotov was taken (one word is illegible in the document) and was sent to psychiatric hospital # 14. He is there at the present time.

We know of cases of putting people into psychiatric hospitals for making complaints to the authorities.

Gaidar, Nadezhda Ivanovna, went to the procurator of the Soviet Union with a complaint on May 7, 1976. With the help of the militia she was taken directly from these offices and put into a psychiatric hospital.

On May 6, Gaidar was at an interview with the director of receptions for the Central Committee of the Communist Party of the USSR, V.I. Filatov, who sent her to the Deputy Procurator for Receptions of the USSR, Tsibulnikov. When Gaidar repeatedly showed up at the time which had been set by Tsibulnikov, she was seized by the militia and taken to militia station #108 in Moscow, thereupon she was taken off to psychiatric hospital #13 where they immediately began to give her injections of amnesics. L.I. Fedotova, the head of Section #29 of Hospital #13 where Gaidar was being held, said in regard to her hospitalization:

> 'We will not make any diagnosis of her. They wrote that she is suffering from nervous exhaustion due to her search for justice. We'll hold her here for a while so that she will stop complaining and then--by special radio--we'll notify Kiev to hold her there for a while.'

In response to these words, B. A. Kiebanov (?), an acquaintance Of Gaidar's who had come to find out what was going on, said Gaidar's two children were without their mother and no one was looking after them. Doctor Fedorov's answer to this was that next time (Gaidar) will think before she goes to make complaints.

N. Gaidar was transferred from Moscow to a psychiatric hospital in Kiev from which she was released after two months.

The address of N.I. Gaidar, #20 Perov Boulevard, (apartment 115) Kiev 125.

Alisa Zakharovna Otrakhova at the end of November 1975 appeared at the office of the Procurator of the USSR; by order of the Deputy Procurator for Receptions she was seized and sent off to a militia station where she was ordered to leave Moscow in 24 hours. Upon her return to her place of residence, they tried to put Otrakhova in a psychiatric hospital.

Otrakhova had turned to the Procurator about an unjustified dismissal from work.

Her address: #62 (?) Sovetskaya Street, Kirovsk (city) Veroshilovgradskaya oblast.

At the end of October 1975, Eduard Maslov was invited to the Ozherelsky region party committee in connection with his complaints about an unfounded dismissal. (Maslov, an engineer and teacher in a technical school was dismissed after he revealed abuses in the school where he taught.) He was seized at the regional committee and held in a psychiatric hospital where he was held for 20 days with the diagnosis: exhaustion of the nervous system due to distress about his dismissal.

E. Maslov resided with his family at #5 Studencheskaya Street, Ozherel, Moscow oblast. At the present time he has gone to Kazakhstan to look for work.

We present the following statistical data:

On a daily basis, the militia sends about 12 people to the doctors on duty at psychiatric hospitals--just from the Reception Rooms of the Supreme Soviet of the Soviet Union, plus another two or three of those people trying to enter embassies, plus an indefinite number of people--straight off the streets. Of these, about one-half are hospitalized.

We want to add that about 7% of the population of the country is on the psychiatric register. All of them require hospitalization from time to time. However, only 10% of these people receive hospitalization from time to time.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #9

The Village of Ilinka

December 18, 1976

Members of the Group:

Anatoly Shcharansky
Vladimir Slepak
Ludmila Alekseeva
Malva Landa
Yuri Orlov (Chairman)
Alexander Korchak

In the previous documents of the Group, we have described the numerous Soviet violations of the section of the Agreement dealing with reuniting of families and freedom of emigration. Such violations (like many others) are of more obvious and gross character in little, unknown settlements. In particular, this phenomenon is best illustrated by the fate of Jewish families of the village of Ilinka, Kazanski Selsovet, Talovski Region, Voronezski Oblast.

We accidentally learned about the existence of a Jewish settlement in the heart of rural Russia. For centuries the inhabitants of Ilinka had managed to preserve their Jewish tenor of life and religion.

In June, 1976, three Muscovites, Vladimir Slepak, Anatoly Shcharansky (members of the Group) and Sanya Lipavsky, attempted to visit this village and talk to its inhabitants. But they had subsequently learned that it was not so easy to accomplish this goal. They were seized within three kilometers from the village and, after two days of briefing by the local officials, they were searched and thrown out of the area. Selsovet Chairman V. Lebedev told them that "the atmosphere in the village is very strained and unhealthy and that Selsovet (Village Soviet) would not allow anybody to interfere in the affairs of the village."

What did V. Lebedev mean by "strained and unhealthy atmosphere?"

In 1974, a few families from Ilinka managed to leave for Israel. Soon after their departure, the local authorities had announced that in the future they would no longer tolerate the departure of the residents of Ilinka. They backed their statement by saying that they did not recognize the residents of Ilinka as Jews.

From that time on, about 50 families are awaiting invitations, submission of which is required for applying for an exit visa. All of these invitations were mailed from Israel and are now kept in the desk of the kolhoz (collective village) Chairman, V. Tarasov who, from time to time, shows them to the kolhoz members and says: "Don't even hope to receive them because you have no business going to Israel."

Despite this, many families had managed to receive the invitations through relatives residing in other parts of the USSR (sometimes 1000 kilometers away). This is also not an easy solution, for the local authorities have practically isolated Ilinka from the outside world. For instance, this is how the families of five farmers, one of them the family of Grigory Efimovich Varnavisky, who for almost two years attempted to leave for Israel to reunite with his sister, received their invitations.

Varnaviski's son-in-law, who lives in Toliaty, had managed to receive their invitations in his name and set off to take them to Ilinka. He was caught by militia, but he managed to escape. In an hour, when he was caught again and searched, he had already given the invitations to someone from Ilinka who, in turn, delivered them to the addressees.

But even those fortunate enough to obtain their invitations often are unable to apply for exit visas for the kolhoz chairman simply does not write the recommendations required by the Department of Visa and Registrations. (The conditions of the kolhoz residents are most unfavorable for they do not have passports and therefore are unable to change their place of residence or leave their kolhoz.) Because of this, Debora Jakovlevna Matveeva, with her husband and seven children, are unable to apply for exit visas.

From the example of the treatment of the Jews of Ilinka, we once again observe gross violation of the Helsinki Agreement, namely the reunification of families, freedom of communication and decent treatment of rights of the minorities.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #10

On the Flagrant Violations of the Right of National Minorities to Equality Before the Law

November 10, 1976

Members of the Group:

Alexandr Lavut
Tatyana Yelikanov
Tatyana Khodorovich
Yuri Orlov
Lyudmila Alekseeva
Malva Landa

Document #10 - On the Flagrant Violations of the Right of National Minorities to Equality Before the Law

I. Persecution of the Crimean Tartars for Attempts to Settle in the Crimea

(This document was prepared by Aleksandr Lavut, a member of the Public Group, and Tatyana Velikanova and Tatyana Khodorovich, members of the Initative Group for the Protection of Human Rights in the USSR)

The attitude of Soviet authorities to the problem of the Crimean Tartars is in glaring contradiction to the unequivocal commitments undertaken in Helsinki:

"The participating states on whose territory national minorities exist, will respect the right of persons belonging to such minorities to equality before the law, will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will, in this manner, protect their legitimate interests in this sphere." (Principle VII, Section 1-a)

The actual policy on the Crimean Tartar peoples is oriented toward their gradual assimilation and liquidation as a historical national culture.

The majority of the Crimean Tartars, who were forcibly and unjustly evicted from their land in 1944, live in Central Asia. They were in fact removed from the list of Soviet nationalities. They do not have one native language school, although there were several hundred in the Autonomous Crimean Soviet Sovialist Republic before the deportation. They do not have one national magazine. The institution conducting research on the Crimean Tartar language and literature was liquidated in 1944. From 1944 to 1973 two textbooks on the Crimean Tartar language were published (as opposed to 58 in nine months of 1939). Out of seven newspapers published before the war, only one (a non-daily) is left.

-- It is obvious that the authorities are counting on the assimilation of the Crimean Tartars into the population of the Central Asian republics. But inasmuch as the policy of assimilation meets with the resistance of the Crimean Tartars, it is a violation "of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and well-being..." (Principle VII, Section I-a)

The Crimean Tartars have made peaceful and legal efforts to preserve their nation and culture. For this, and only for this, they are subjected to persecution by the authorities. The cruelest persecution has been directed against those, who try to return to their historical homeland - the Crimean steppes - to work on collective farms in familiar surroundings. Authorities destroy houses bought by Crimean Tartar peasants with bulldozers; family providers are not given work. Even families with many children are driven from their homes and left without a roof over their heads: they are evicted and the most stubborn of "returnees" are arrested and sentenced to exile or prison. This means that Crimean Tartars, like several other national and religious minorities and dissenters, are in a special position with respect to the law. The regulations on registration in the Crimea do not prohibit immigration on national grounds. That is, there is no formal ban on Crimean Tartars, who were fully rehabilitated in 1967, settling in the Crimea. In reality, however, the Tartars are placed outside the law. In the Crimean steppes, where a continuous shortage of workers is experienced, and where local authorities are forced to invite settlers from Russia and the Ukraine, the Crimean Tartars encounter extraordinary obstacles in notarizing the purchase of homes, in registering residency and in obtaining work.

In the nine years since the Rehabilitation Order was issued, only 5,000 Crimean Tartars (less than 1% of the population) have been able to legalize their residency in the Crimea. The majority of these underwent an extensive period of every imaginable persecution and discrimination. Presently nearly 2,000 Crimean Tartars, including large families, live in the Crimea under the constant threat of deportation and prosecution "for violation of passport regulations"; that is, for the lack of residence permits, which the authorities illegally refuse them.

II. Recent Instances of Persecution of Crimean Tartars, Attempting to Settle in the Crimea

During the summer and fall of 1976, reports from the Crimea repeatedly attest to illegal obstacles placed by authorities in the way of Crimean Tartars returning from their former exile. We will enumerate those instances known to us.

EVICTIONS

1. On the night of May 12, police and volunteers attempted to evict the Shaver Chakalova family and their four children from their home. During this attempt, members of the family and neighbors coming to the aid of the evictees were severely beaten. The eviction operation was broken off due to the neighbors' intervention. In the fall, Chakalova was charged with violating passport regulations.

Chakalova's trial will be on November 10. She is threatened, at the least with the forcible resettlement of her whole family.

2. On May 13 the families of R. Yunusova and M. Setveliev (with their sick child) were removed from their home in the village of Gorlinko in the Belogorsky district of the Crimean Region and into the steppes. The Setveliev's house was destroyed. According to information from the end of October, the family lives in a tent. In July, the Setvelievs tried to rebuild their house, but it was again destroyed.

3. On June 18, the family of the war veteran and participant in the siege of Sevastopol, V. Faizullaev, was driven from their home into the steppes.

4. On June 18, the family of Lavrish Asanov was driven from the village of Podgornoe and into the steppe. The action was accompanied by looting and the beating of several family members.

5. On July 21, a squadron of policemen was brought into the village of Voinka where they evicted the M. Akmollaev family. Several Crimean Tartar neighbors were arrested for 15 days for trying to help the evicted family.

6. On the night of August 9, the M. Abulev (of Bogatove) and the E. Ametov (of Kurskoe) families were evicted. During the eviction, the children were mistreated, things were broken, and money was stolen.

7. On August 25, Ya. Kenzhametov and his wife and child were thrown out of the village of Zolotoye Pole. Their house was torn down by a tractor.

8. R. Zenabapdinov was evicted from his home on May 4.

9. On May 11, a house which had been bought by E. Ametov in Melekhov was destroyed.

10. On May 13, volunteers evicted the S. Memet family which consisted of 5 members. The family was forced to spend the night on the street. Memet's little daughter was taken ill and had to be hospitalized in the morning.

These attempts at evictions by force have often failed thanks to the protests of not only Crimean Tartar, but also Russian and Ukrainian neighbors.

ARRESTS AND TRIALS

According to the information which we have, 9 people were prosecuted for "breaking passport regulations" in the summer of 1976. (This does not include people who were evicted.)

1. On June 9, Lemur Bekirov got two years at forced labor under the direction of the Ministry of Internal Affairs. His wife, Gulnara Bekirova, and their daughter Shefika Bekirova, got two years on probation.

2. On May 13, Musa Mamut got two years at a general regimen camp. His wife, Z. Abdullaeva got two years on probation. They have three children. At Mamut's sentencing, it was openly stated that he had been convicted because he had moved to the Crimea and bought a house.

3. On June 9, Enver Reshitov, the father of a four-month-old child, was sentenced to a six month term of imprisonment.

4. On September 1, Shevket Arnautov got two years in a "strict regimen" camp.

5. On August 25, Abibulla Khalikhov got 2 years on probation.

6. On September 2, Ridvan Useinov got 2 years at forced labor under the direction of the Ministry of Internal Affairs. In the same incident, R. Shabanov and A. Yagi-(illegible) were sentenced to 2 years of exile.

On October 17, E. Ametov got 2 years in exile. Before his conviction, Eiver Ametov was warned by the KGB for talking to a foreign correspondent which is in itself a flagrant violation of the Helsinki agreements.

Murat Voenny, a Crimean Tartar activist, was sentenced to 2 years of exile in October.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE
OF THE HELSINKI AGREEMENTS IN THE USSR

Document #11

On the Right to Emigrate for Religious Reasons

December 2, 1976

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We present to the public and to the Heads of State of the thirty five nations which signed the Final Act of the Conference on Security and Cooperation in Europe, a collection of documents, "Go Forth, My People", on the situation of Christian-Pentecostals which has led them to decide to leave their country. (The Commission has not received this collection of documents.)

The collection consists of declarations, complaints, open letters, court decisions, autobiographies, etc., which reveal the fates of many hundreds of people. The majority of the documents of this collection relate to very recent events (Summer-Fall 1976) but almost all of them present facts about the persecution of Pentecostals which are difficult to call anything less than crimes against humanity and which occurred before August 1, 1975 -- the date of the signing of the Helsinki Accords. These facts convince the reader of the reasons which impelled these patient, believing people to decide to leave the country -- even if today the degree of repression is not as great as it was during the 1960's.

The collection follows one main goal, corresponding to Principle VII of Section I of the Final Act of the Helsinki Conference and the Universal Declaration of the Rights of Man, articles 13 and 14, where, in part, it is said that "Every person has the right to seek refuge from persecution in other countries and (the right) to use this refuge" -- to assist emigration for people who want to emigrate for religious reasons. The Group has not included in this collection, documents at its disposal about persecutions, including court sentences, of other Pentecostals who are not at the present time expressing a desire to leave the country.

The fate of Fedotov, the presbyter of the Pentecostal community of the city of Maloyaroslavets, who at the present time is serving a three-year term of imprisonment in camp; the numerous instances of fines for participation in prayer meetings (for example, M.V. Chinarev from Maloyaroslavets, a pensioner born in 1890 who receives a 45-ruble a month pension, was fined 50 rubles in October 1975; the Pyzhev family in Obninsk was fined 200 rubles in November 1975 etc.;) -- all bear witness to the fact that even after the signing of the Final Act, the Soviet government disregards its obligation "to recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience."

Further substantiation of this is the body of Soviet law itself, which is discriminatory to the believer in the way it deals with religious cults, marriage and the family, popular education, universal obligation to serve in the military, private business, as well as articles 142 and 227 of the Criminal Code of the Russian SFSR (and the corresponding articles of the criminal codes of the other Union republics). This Damocles sword of legalized persecution always hangs over religious believers, depriving them of hopes for a better future and leading them to decide to emigrate.

The emigration movement among Pentecostals differs from analogous situations in its massive dimensions -- it is not individuals or separate families who announce their intention to emigrate, but rather whole religious communities which have created special initiative organs -- Emigration Councils -- for this movement.

The Group wishes to call to the attention of those governments wishing independently to verify the facts given in this document, that at the end of this collection is included a statement of authenticity given by several members of a commune at Nakhodka, who have already left the country on invitations sent by relatives in Israel (E. Bresoenden and N. Plotnikov) and Canada (B. Bogrin). These witnesses can be called by any interested government.

In the collection, another crucial problem is raised for this category of people who desire to emigrate -- the money to make possible the right to exit. You see, here one is talking about families with many children (five or seven or more children) -- such are the majority of families which are represented in this collection -- and these people are badly off, especially due to religious persecution. Yet they take on themselves the support of the poorest among them, they help the families of prisoners, and the old people (all of which is forbidden by Soviet laws on religious cults). One must either help these people or move the Soviet government to rescind the required payment of fees for renunciation of citizenship and visas for those for whom it is impossible. Such a possibility is provided for in the law, but in practice it is done extremely rarely -- in those cases when the government feels it is in its own interest.

The Group to Promote reminds (the reader) that religious dissenters, fleeing from government persecution, made a considerable contribution to development of such participant states in the Conference at Helsinki as the USA and Canada.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #12

On Ukrainian Refugees

December 2, 1976

Members of the Group:

Lyudmila Alekseeva
Aleksandr Ginzburg
Malva Landa
Yuri Orlov
Elena Bonner
Petr Grigorenko
Anatoly Shcharansky

In 1976, 26 Soviet political prisoners--among them were 19 Ukrainians--renounced their Soviet citizenship.

These 19 Ukrainian political prisoners informed the Group to Promote about their intention to leave the Soviet Union. Of course, this list does not include all the former and current prisoners of conscience who desire to emigrate from the Ukraine and the surrounding areas.

The Ukrainians have comprised and still do comprise a very essential part of the contingent of prisoners of conscience, disproportionately large in comparison to the proportion of this nation in the whole population of the USSR. So, in the most terrible "special regimen" political camp--Mordovian Camp #1--13 of the 20 political prisoners who are there now are Ukrainians. In the women's political camp, Ukrainians constitute 25%. The atmosphere in which the families of the Ukrainian prisoners of conscience live and in which they find themselves during the course of punishment can be compared with the conditions of 30 years ago. They are under the unremitting control of the KGB and the local authorities. At every step of their daily lives enormous obstacles are set in their paths, and such discrimination is spreading not only to their wives and children, but even to rather distant relatives and friends.

Therefore, people decide not to come to visit them. People fear to help them in settling their affairs. They are oppressed at work. Their letters are read and their conversations are listened to. Getting a package from abroad or money sent from Moscow is enough of a pretext to get them called in by the KGB where "conversations" can lead to heart attacks, as happened this past summer with the brother of the wife of the political prisoner, Ivan Gel. And if these talks aren't enough, then it is possible that stones will be thrown at your window (as happened with Raisa Moroz and with the mother of Lesya Sergienko, a prisoner in Vladimir Prison.)

Ukrainian political prisoners--after or even before they are freed--understand that if they do not change in the way that the authorities want, then their families face eternal disgrace, and they themselves will in a short time spend long years behind barbed wire. (Many present day Ukrainian political prisoners are serving a second or sometimes even a third term. Svyatoslav Karavansky in his three sentences got a total of 30 years, Nikolai Kurchik--33 years, Trofim Shinkaruk--35 years, Father Vasily Romanyuk--20 years, Ivan Gel--16 years plus 5 years of exile, Danilo Shumuk--25 years, Valentin Moroz--13 years plus 5 years of exile, etc.) And this is why they have decided to leave their native country.

The natural direction for the stream of Ukrainian refugees is the United States and Canada, where many of their compatriots reside and where almost everyone desiring to leave the Ukraine has relatives. However, lately there are only 4 Ukrainian families which are known to have gotten permission to join relatives in the USA. There is also practically no possibility to emigrate to Canada.

We append a list of families of Ukrainian political prisoners who have informed the Group about their desire to leave the boundaries of the Soviet Union. We ask help to get permission for them to emigrate from the Soviet authorities.

If it appears to be easier to get permission to emigrate to join relatives, we request, bearing in mind the tragedy of the situation of Ukrainian political prisoners and their families, help for them in locating relatives in the USA and Canada, and in transmitting to them a request to send invitations.

The list is as follows:

A List of Ukrainian Families Who Have Announced to the Group to Promote the Observance of the Helsinki Agreements in the USSR, Their Intention to Emigrate to the United States and to Canada

1. Gel, Ivan Andreevich, born in 1937, now in Mordovian "special regimen" political camp No. 1.

   His wife, Gel, Maria Iosifovna, born in 1936, resides at #7 Gastello Street, (apt. #17) Lvov 4, the Ukraine.

   His daughter, Gel, Oksana Ivanovna, born in 1964, same address.

2. Svetlichnaya, Nadia Alekseevna, born in 1936.

   Her son, Svetlichny, Yarema Ivanovich, born in 1970.
   Their address: #35 Umansky Street, (apt. #20) Kiev, the Ukraine.

3. Chernovol, Vyacheslav Maksimovich, born in 1938, political prisoner. Address of his parents: Valentin Chernovol, village of Vilkhovets, Zvenigorodsky region, Cherkasskaya oblast.

4. Gurny, Roman Andreevich, born in 1936, village of Kutkir, Bussky region, Lvovskaya oblast.

5. Kandyba, Ivan Alekseevich, born in 1930, #176 Shevchenko Street, Pustomyty, Lvovskaya oblast.

6. Goryn, Bogdan Nikolaevich, born in 1936, #15 O. Kulchitsky Street, (apt. 94) Lvov, the Ukraine.

   His wife, Goryn, Oksana Ivanovna, born in 1939, same address.

7. Svetlichny, Ivan Alekseevich, born in 1929, political prisoner.

   His wife, Svetlichnaya, Leonida Pavlovna, born in 1924, #35 Umansky Street, (apt. #20) Kiev, the Ukraine.

8. Romanyuk, Vasily Omelyanovich, born in 1925, political prisoner in "special regimen" camp No. 1.

His wife, Antonyuk, Maria Markovna, born in 1924, #3 Kobylyansky Lane, Kosov, Ivano-Frankovskaya oblast.

His son, Bemanyuk, Taras Vasilevich, born in 1959, same address.

9. Shabatura, Stefaniya Mikhailovna, born in 1938, political prisoner.

Her mother, Shabatura, Anna Mikhailovna, #116 Kutuzov Street, (apt. #2) Lvov, the Ukraine.

10. Kalynets, Igor Mironovich, born in 1939, political prisoner.

His wife, Stasiv-Kalynets, Irina Onufrievna, born in 1940, political prisoner.

Their daughter, Kalynets, Zvenislava Igorevna, born in 1963, #117 Kutuzov Street, (apt. #12) Lvov, the Ukraine.

11. Karavansky, Svyatoslav, Iosifovich, born in 1920, political prisoner.

His wife, Strokatova, Nina Antonovna, born in 1926, #39 Lunacharsky Street, Tarusa, Kaluzhskaya oblast.

12. Sergienko, Aleksandr Tikhonovich, born in 1933, political prisoner.

His mother, Meshko, Oksana Yakovlevna, born in 1905, #16 Verbolozny Street, Kiev, the Ukraine.

13. Shumuk, Danilo Lavrentevich, born in 1914, political prisoner. Institution ZhKh 385/1, Postal Division Sosnovka, Potma Station, Mordovian ASSR.

14. Moroz, Valentin Yakovlevich, political prisoner.

His wife, Moroz, Raisa Vasilevna, #14 Naberezhnaya, (apt. #1) Ivano-Frankovskaya oblast.

His son, Moroz, Valentin Valentinovich, same address.

15. Barladyanu, Vasily Vladimirovich, born in 1942, #10 Saltykov-Shchedrin Street, (apt. #1) Odessa, the Ukraine.

His wife, Barladyanu, Valentina Sergeevna, born in 1948, same address.

His daughter, Barladyanu, Valeriya Vasilevna, born in 1971, same address.

16. Tymchuk, Leonid Nikolaevich, born in 1935, #44 Industrialny Street, (apt. 5) Odessa, the Ukraine.

17. Smogigel, Vadim Vladimirovich, born in 1939, #26 Franko Street, (apt. 12) Kiev, the Ukraine.

A List of Political Prisoners Known to the Group Who Have Renounced Soviet Citizenship

Urals Camp No. 35

1. Aselbaums, T.I.
2. Grabans, Ivar
3. Shakhverdyan, Bagrat
4. Zograbyan, Razmik
5. Kivilo, Harald
6. Valdman, Iogann
7. Gluzman, Semen
8. Ogurtsov, Igor
9. Pidgoretsky, Vasily
10. Basarab, Dmitri
11. Kalynets, Igor
12. Gorbal, Mikola
13. Demidev, Dimitri
14. Motryuk, Nikolai
15. Shovkovy, Vasily
16. Pronyuk, Evgeni
17. Soroka, Stepan
18. Berkholyak, Dmitri
19. Mamchur, Stepan
20. Savchin, Aleksey

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21. Vernik, Ivan (Urals Camp No. 36)
22. Shumuk, Danilo (Mordovian Camp No. 1)
23. Moroz, Valentin (Mordovian Camp No. 1)
24. Shinkaruk, Trofim (Mordovian Camp No. 1)
25. Chernoval, Vyacheslav (Mordovian Camp No. 3)

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #13

The Necessity of Emigration for Economic-Political Reasons from the Standpoint of the Workers

December 2, 1976

Members of the Group:

Lyudmila Alekseeva
Aleksandr Ginzburg
Malva Landa
Yuri Orlov
Anatoly Shcharansky

For the present selection, we have chosen four families wishing to emigrate from the USSR, and which have turned for help to the Group to Promote. These people live in different places, but are linked by the fact that they are workers, representatives of that class, which, in accord with official Soviet ideology "rules" in the USSR. Besides this, they do not belong to any national minorities; the reasons motivating them to request permission to leave the country are of an economic-political character.

With this selection of documents, we turn not only to the governments of countries which signed the Helsinki Accord, but also to professional organizations of workers and to socialist and Communist parties and countries of the West.

Lyudmila Alekseeva
Aleksandr Ginzburg
Malva Landa
Yuri Orlov
Anatoly Shcharansky

1. Leonid Mihailovich Sery, Ukrainian, born in 1936, lives with his wife and six children in Odessa on Frunze St., #199, apt. #128. In his appeal to the governments of the Western countries and international humanitarian organizations, L. Sery in detail described the material position of his family, citing many figures. The full text of the appeal was carried in Appendix I. Leonid Sery, in part, writes:

"I work as a lathe operator in the ship-repair works of the Ilicer Sear Fishing Port...my wife doesn't work because our children are young...after all the necessary purchases and payments, we have left 15-20 rubles for food, per-person a month. Therefore we are constantly hungry, and the weaker children as a result keep getting sick. We are constantly hungry, especially in the second half of the month. . .the doctors say that our organisms are extremely weakened, exhausted. Therefore we keep catching colds. We have a shortage of vitamins and fats, and therefore low hemoglobin and fainting and the children have rickets. All of this is the result of poor eating. But, they say, eat well and you will be healthy. But, despite all the burdens and deprivation, I try to work all the better, on the off-chance that my bosses will reward me, and will allow me to earn enough to feed my large family. I fulfill the norm 140-150%, do not drink, smoke nor am I given to loafing.

"Only those living in the Soviet Union can understand the agonizing, debasing and useless paperwork. Here the propaganda turns attention to the letters of workers, but the fact is that they don't ask the workers about this, nor even do they pay attention to their complaints, protests or needs. And if a really stubborn client is encountered, they say to him 'You have unhealthy thoughts and we can cure you'. So they said in Moscow, at the Central Committee CPSU. And in Kiev, to the Central Committee building, they drove a special car, in order to bring my wife who had arrived with complaints. But thanks to other people, to workers--plasterers who were repairing the building across the street--they were not able to take her, and the children at this time scattered in all directions...Seeing all this and becoming aware, we concluded that here (in the USSR) a man of labor does not have the right to protest; our trade unions also do not have this right and they are not asked to have. All our letters were greeted with bullying, mockery.

"Help us, don't allow us to die of gradual starvation. Let our leaders be shamed, that their workers are not in any condition to feed their families, and that to feed the people with promises and slogans is shameful. Help us please to leave. I would like to be in either America or Canada. In Canada there are Ukrainians and it would be easier for us linguistically. We are also Ukrainians. We will wait, if not we will die. We hope."

While lending assistance to Leonid Sery and his request to emigrate, we also turned to professional and philanthropic organizations with requests to render the Sery family material help. In the USSR there is no possibility of founding philanthropic societies and people who attempt to conduct charities semi-legally risk getting into trouble with the courts. As concerns the trade-unions, the letter of L. Sery is sufficiently clear about them.

2. Valentin Anatolyevich Ivanov; Russian, born in 1930, worker-electrician, lives in Kalyzski Oblast, Borovski Raion, pos. Ermdino, Ostrovsky St., #75.
In his petition sent to the Presidium of the Supreme Soviet of the USSR in August, 1976, he writes:

"On the basis of 'The Law on Citizenship of the USSR', and also statute 13 of the 'Universal Declaration of the Rights of Man', and the Final Act of the Helsinki Conference, I ask that you permit me to leave the USSR.

"I am a Russian worker, 46 years old. I have worked in production for 30 years, 22 of them in electrical installations. In the archives of the KGB there are three cases of documents which confirm that I am a skilled electrician, conscientious in my work, I practically never drink spirits and I don't smoke.

"I will enumerate several of the reasons which motivated me in 1959 to go to the risk of attempting an illegal border crossing and in 1964 and 1969, of asking to leave the country and now again, of turning to the Presidium with this request.

1) The low level of worker's earnings. I can say with full responsibility that my best years were spent working for a piece of bread.

2) The complete defenselessness of the workers from the tyranny of the administration because of the absence of free trade-unions. For example, in September, 1974, they forced me to work on Saturday and Sunday for 20 hours and they didn't pay me for anything. The trade-union, to which I turned with a complaint sided with the administration. Such measures can be cited by the dozen.

3) The absence of an independent and objective court system. Only because of this, could the judge, Aliev in Baku in the autumn of 1966, give me a guilty verdict, supposedly for an attempted illegal border-crossing. The Azerbaijan KGB rigged the whole affair, and Aliev tried his best not to hinder himself with professional norms.

4) The treatment in labor camps is cruel and humiliating to human dignity. I can speak of this from experience, because of the many 24-hour periods I have spent in the icy, solitary confinement cells of the Camp #8 of the Omsk Y.M.Z. There, besides the usual coercions exerted by hunger, by walking for 3 days, they didn't give me anything to drink, by the order of Major Polyakov.

5) The constant and increasing tendency of the KGB is to employ psychology for furthering their investigatory and punitive possibilities. So, in the autumn of 1966, Captain Talanov, an investigator of the Azerbaijan KGB ordered me into a psychological ward on the basis that I did not recognize my own guilt. At least he informed me before sending me off. When, having returned after 20 days in the hospital, I again refused to recognize my guilt, Talanov began to threaten me with new visits to the hospital.

In the autumn of 1972, in Omsk, Lieutenant-Colonel Udovidcenko gave the order to place me in a psycho-ward, and the chief doctor of this hospital, never having even looked me in the eye, automatically gave the command to place me in the section where the raving lunatics were kept. Fortunately the guard on duty that night was a doctor who suspected something and who changed by her own authority this murderous command. After 7 days I was recognized as being healthy...

"Since experience has shown that the authorities ignore similar declarations to this one, I am sending a copy of this declaration to the Embassy of the USA with the request that it publish it in the free press, in order to bring it, in such a way, to the consideration of our government, to turn the attention of Western society and, above all, the Western workers, to the situation of the Russian worker who is trying to uphold his economic interests and human dignity."

On September 21, 1976, V.A. Ivanov, in Moscow, went out onto the Square of the Revolution with the banner "To the Soviet Authorities. I demand an exit. I went through the hell of your camps and 'soul-deepenings'. What next? Russian worker, Ivanov V. A." After 10 minutes Ivanov was seized by the militia department, after which he was delivered to his place of residence.

On November 9, 1976, Valentin Ivanov sent a letter to the President of the American Federation of Labor, George Meany, in which he wrote:

"Dear Mr. Meany,

"I, a Russian worker, an electrician of the highest qualifications with 30 years of service, am turning to you, as the leader of American Trade Unions.

"Since 1949 I have been subjected to investigation by the KGB (in my own country). This began because I refused to read a speech of Stalin's, and later because I tried to defend the rights of the working man in Russia.

"I have turned several times to the Soviet authorities requesting to leave the country, and every time the answer was repressed. Now, the situation has become critical, and I have decided to turn to you with the request to help me receive a visa from the American Union of Electrical Workers. I am asking that you help me leave Russia, and in this way to avoid new repressions..."

3) Ivan Mihailovich Sivak, Ukrainian, born in 1926, lives with his wife and 3 sons in a settlement in the "Dubravi Dolinsky' raion in the 'Ivan Franko' oblast.

Shortly after the birth of I.M. Sivak, his father went to Canada where he lived until his death in 1965. In 1970, I.M. Sivak asked permission to exit to Canada. He was answered that he would not be given a visa for Canada, but it was suggested that he apply to exit to Israel. He agreed but didn't receive permission, and because of this a little while later he was taken to the Ivan Franko Psychological Hospital. In a letter to L.I. Brezhnev, Ivan Sivak writes:

"I have been living in the Soviet Union for 30 years, not living, but existing. During these 30 years, little has changed in the life of the worker. I live in poverty and need. My salary is only just sufficient for subsistence. Besides, this, everywhere in the Soviet Union there are no rights, no freedoms. In all spheres, life is restricted. Everywhere, man feels like a slave...

"More than a year has passed since, in the capital of Finland, Helsinki, the Final Act of the Conference on Security and Cooperation in Europe was signed by the leaders of all the European countries and the U.S.A., and by you personally. Without exaggeration it is possible to say that the government of the Soviet Union is not only not observing the conditions, set forth in this document, but...it is ignoring them, not taking into consideration the opinion of its citizens. I want to remind you that the Declaration on the Rights of Man was also signed by the government of the Soviet Union. But, in fact, in the Soviet Union man is deprived even of the right to be master of his freedom...

"I ask you once more personally, Leonid Ilich, to give me permission to exit with my family for Israel".

In a letter, sent to the "Group for the Assistance of Helsinki", I.M. Sivak asks, "help to emigrate to Israel or to another country of the free world."

4) Vladimir Maksimovich Pavlov, Russian, born in 1929, bus-driver, living with his wife and son in the city of Maikop, #5 Shkolni Street.

He first announced his desire to emigrate from the USSR in 1966. In 1971 he was sentenced to 3 years loss of freedom according to Statute 190-I of the Ukrainian RSFSR. The verdict in the Pavlov affair relates to a number of documents with the utmost clarity and with a salience which expresses the character of the epoch; such documents are becoming models for study and are coming out in readers. That is why, in Appendix 2 we cite the full text of the verdict. For this, in order to understand what this Statute 190-I is, and how it is applied in practice, it is not necessary to turn to specialists, to dig in thick books, to question eye-witnesses. It is enough merely to read this official document which bears the stamp of the Ministry of Justice of the RSFSR, and which takes up nearly 4 type-written pages. Then it all becomes clear. From the verdict, it is apparent that I.M. Pavlov is charged not only with stating his views and opinions, but also for "having expressed satisfaction with the completion of some kind of actions or crimes by people who are in the ranks of the CPSU".

From the verdict it is evident that besides the conviction in 1971 according to Statute 190-I, V.M. Pavlov was earlier, in 1949, sentenced to 2 years' loss of freedom, according to Statute 74 of the then Ukrainian RSFSR, for 'hooliganism'. Here is what he says about this episode. In 1949, as a young man, he worked as a chauffer in the Urals. Before their dormitory stood a statue of Stalin with an arm out-stretched. One night someone placed an old torn shoe onto this out-stretched arm. The organs of state security considered it essential to react to this in some fashion. They arrested Pavlov, who was already well-known to them, because he was capable of unorthodox remarks. In the course of six months, which V.A. Pavlov spent in imprisonment before trial, no kind of incriminating evidence on him was found. Apparently, the incident with the shoe by that time, had already receded, and it was decided to drop the political aspect of the case. The investigator told Pavlov, "You understand that we cannot simply let you go. Do you actually mean that we should apologize to you? Here we have a statement that you started a fight in the dormitory. Choose: do you recognize your guilt and get 2 years for hooliganism, or do we deal with the political affair." The fight in the dormitory really did take place, although Pavlov by no means was its instigator, but simply defended himself. However, in this situation he considered it better to "recognize his guilt", in order to avoid a much more severe punishment.

Although V.M. Pavlov was sentenced according to Statute 190-I in 1971 and left prison in 1974, this matter should be considered as a contemporary one, expressing the situation of the given moment, more than a year after the signing of Helsinki Declaration. For, V.M. Ivanov turned to the Supreme Court of the RSFSR with a protest and a request for a review of the affair and received a denial, in which in black and white it was said that "the juridicial qualification of the crime committed by you, as determined by the Court, according to Statute 190-I of the Ukrainian RSFSR, is correct. This document (Appendix 3) was signed by the President of the Supreme Court of the RSFSR, A.K. Orlov, on the 10th of May, 1976. In this same way, the Supreme Court of the RSFSR once again invited the raion, city, oblast, and other courts to, on their part, put people in prison for analogous charges.

The selection of documents assembled by Valentin Turchin -

Appendix I: The Appeal of L.M. Sery

Appendix II: The Verdict of the Oblast Court of Adigejski Autonomous Court in the Cast of V.M. Pavlov

Appendix III: The Ruling of the Supreme Court of the RSFSR in the Case of V.M. Pavlov

(These appendices to Document #13 are held in the files of the Commission.)

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #14

Emilia Ilina's Struggle for the Right to Free Emigration from the USSR

December 2, 1976

Members of the Group:
Ludmila Alekseeva
Aleksandr Ginzburg
Malva Landa
Yuri Orlov
Vladimir Slepak
Anatoly Shcharansky

Emilia Ilina is a Russian who is fighting for the right for free exit from the USSR without any invitation whatsoever from abroad, in conformity with the guarantees in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights, and in the Final Act of the European Conference on Security and Cooperation in Europe.

After a 50 day hunger strike (which attracted the attention of the Group to Promote) Ilina succeeded in getting OVIR to promise her permission to emigrate to Canada without an invitation.

But this was a deception, typical of the tactics of the authorities on the question of emigration. When Ilina handed in her documents to emigrate to Canada she was told that in fact they could only let her leave for Israel--without an invitation.

This was the path which, in part, was followed by the Ukrainian Sivak (see Document #13). After he had handed in his documents to exit for Israel without an invitation, (undergoing at that time psychiatric repression) officials demanded that he produce an invitation from Israel. Sivak is a worker whose father died in Canada, unable to wait long enough for his son.

Understanding the tactics of the authorities, Emilia Ilina says that she will never agree either to produce an "invitation" or to pay a "ransom" (for renunciation of citizenship).

We append Vladimir Slepak's account about his trip to Leningrad for the Ilina case on November 16, 1976. (The documents are in the files of the Commission.)

The case continues in the following way. Having discovered deception, Ilina continues her hunger strike. After 22 days of the hunger strike, she has temporarily stopped and has decided to gather strength for the continuation of her struggle.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #15

On the Expulsion of 7 Students from Venuolis High School (Vilnius)

From the Lithuanian Public Group to Promote Observance of the
Helsinki Accords in the USSR

December 8, 1976

Members of the Group:

Lyudmila Alekseeva
Tomas Venclova

At the beginning of the 1976-1977 academic year, 7 senior high school students were not allowed to return to their classes at Venuolis High School in Vilnius: Vitautas Bogushes, _______ Bidlauskas, Algirdas Masyulenis, Yulis Sasnaulskas, Kyastutis Subachyus, Regimantas Palenis and Daynyus Shyaputis. It was explained to the students and their parents that they had been expelled from school in accordance with a decision of the teachers' council on June 17, 1976. None of them ever had a chance to see the record of this council, however, and it even turned out to be impossible to find out why they had been expelled.

The Director of the Academic Program, Dobinas, and the teachers gave confused and contradictory explanations about the expulsion to the parents of the students and to a member of the Public Group to Promote, Lyudmila Alekseeva, who had been sent by the Vilnius Public Group to find out more about this matter. The Minister of Education of the Lithuanian SSR, A. Rimkus, announced to L. Alekseeva and to the Lithuanian activist in the struggle for human rights, Tomas Venclova, that all these boys were expelled for conduct unbecoming Soviet schoolchildren, but he could not explain precisely what reprehensible actions each of them had committed.

There are grounds to believe that this expulsion was conducted by order of the KGB.

During the last academic year, these students were called in by the militia and the KGB, where they were asked almost exactly the same questions: Did they attend Catholic church services? Did they listen to radio broadcasts of the "Vatican" station? Why did the boys visit Viktoras Petkus? (Petkus--a well known Lithuanian social and Catholic activist who has spent 14 years in camps and prisons for political offenses. Now he is one of the members and founders of the Lithuanian Public Group to Promote Observance of the Helsinki Accords). They got the boys to "admit" that Petkus served them wine and gave them cigarettes when they were his guests, gave them money and "typewritten literature" (the implication here is samizdat--ed.) and they even informed them that Petkus is a homosexual.

In the militia station, Captain Semenov shouted at the boys, embroidering his speech with swear words. In the KGB, Senior Lieutenant Berbitskas was polite. Both men threatened that if the boys did not confirm the slander about Petkus, then they would not be allowed to attend institutes, and they even frightened Bogushes with talk of sending him to a children's penal colony. It was precisely because of the boys' refusal to give false testimony that they were expelled from school.

Repression is not ceasing. In the middle of November, Yulis Sasnauskas was taken to the regional division of the militia, where he was beaten by the Inspector for Criminal Investigation and by Major Matsyulevich. And the other boys are also not left in peace.

All this is an evident violation of elementary human rights, which is especially galling since it involves people who are still almost children.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #16

Statement of the Public Group to Promote Observance of the Helsinki Agreements concerning searches, conducted on January 4-5, 1977, at the residences of members of the Public Group, interrogations and other repressive acts directed against members of the Public Group

January 7, 1977

Members of the Group:

Lyudmila Alekseeva
Aleksandr Ginzburg
Malva Landa
Yuri Orlov
Anatoly Shcharansky

1. After a series of searches January 4 of the homes of members of the Ukrainian Public Group to Promote Observance of the Helsinki Agreements, additional searches were conducted at the apartments of the Moscow Public Group members. The members affected were the following: Lyudmila Alekseeva, Aleksandr Ginzburg and Yuri Orlov, in addition to A. Ginzburg's mother. During the night of January 4, the apartment of Lidia Voronina was also searched. She had just returned from a trip to various Pentacostal communities.

Long before the completion of the searches, TASS had issued a statement directed to foreign publications to the effect that Y. Orlov, A. Ginzburg and L. Alekseeva are agents of the NTS (an emigre anti-communist organization) and work according to instructions from Paris.

This action once again confirms the obvious fact that efforts by TASS to circulate "disinformation" to the public are directly linked with the KGB. In the given situation it is hard to believe that TASS-KGB expected to gain the credence of world public opinion. The world had just witnessed the exchange of the political prisoners Bukovsky and Corvalan, while simultaneously reading in the Soviet press that no exchange had taken place. The Goebbels Principle - the further from the truth, the greater the credibility - did not work in this case.

These latest actions of TASS-KGB had another goal: to show plainly that the activities of the Public Group are unacceptable to the Soviet authorities, to scare official western circles away from this Group, to pronounce members of the Group notorious political criminals, and to cast doubt on the information presented by the Group. Such is the preparation of the Soviet Government for the Conference in Belgrade.

The persecution directed against members of the Group allows us to add that the Soviet authorities have literally been reduced to an hysterical state by the prospect that the exposes compiled by the Public Group to Promote Observance of the Helsinki Agreements in the USSR will be used. Nothing else can explain this return to Stalinist methods, such as the planting of compromising objects and materials. This has been done at apartments of members of the Ukrainian Group (Mykola Rudenko had forty American dollars planted; O. Berdnik - pornographic postcards, O. Tykhy - an old German rifle) and repeated in Moscow (1400 German marks and 130 U.S. dollars were planted in the apartment of A. Ginzburg). The searches were conducted with flagrant violations of procedure. A great deal of material was confiscated without being recorded in the official search report (in the case of L. Alekseeva). Moreover, those materials which were recorded were noted without the required descriptions, making it impossible to identify the documents and creating grounds for the falsification of the materials seized.

2. We hope that in the given situation the Soviet government has poorly calculated all the possible consequences of its steps.

Even if the West were to betray the Public Group to Promote Observance of the Helsinki Agreements in the USSR which collects information concerning the inhuman violations of these accords in the USSR, the psychological reaction to this Soviet action will be the intensification of the general distrust of the Soviet Union, with all the consequences that flow from that.

Within the Soviet Union, liquidation of the Public Group will not be able to stop the rapidly growing development of a democratic consciousness of legality. This process has deep economic and political roots, and we can state that, in trying to apply archaic Stalinist methods of provocation and intimidation, the Soviet authorities have lost their sense of reality.

A policy of forcible liquidation of the centers of peaceful democratic initiative could, to a certain extent, be understood only in a specific situation - if the government were preparing for a war in the near future. But this is madness.

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI AGREEMENTS IN THE USSR

Document #17

About Prisoners of Conscience who need Quick Release due to the State of their Health

January 14, 1977

Members of the Group:

Ludmila Alekseeva
Aleksandr Ginzburg
Malva Landa
Yuri Orlov
Anatoli Shcharansky

The extremely harsh conditions of imprisonment in Soviet prisons and camps destroy the health of the prisoners, aggravating any sickness which predated their arrest, and developing new illnesses. Almost everyone who has endured imprisonment suffers from stomach ulcers, diseases of the liver, the kidney, enteritis, heart and vascular and other diseases.

The awful conditions of life in prisons and camps of the special regimen--where prisoners are always detained in cells which are crowded, damp, badly ventilated and lit, in fact, almost without fresh air or daylight--all this accelerates even further the destructive effects of the meager, low quality diet. Another pernicious factor on the health of the prisoners, is the exhausting forced labor, the harmful types of work which prisoners are not infrequently forced to perform, often in unsuitable buildings without observing health or safety regulations.

Yet another way in which the health of prisoners is ruined, is the system of additional punishments which every prisoner of conscience undergoes if he has not "started on the path to correction"--transfer to a "room of a cell type" (PKT) of a camp prison; "strict regimen" and a "low diet regimen" in the prison; an isolation cell (or punishment isolator--ShIZO) which means combined torture through hunger, cold, lack of sleep, etc.

Prisoners are practically excluded from the possibility of having a normal sexual life: in a camp of the strict and special regime, one is allowed not more than one personal meeting per year, (the length of such visits is from 24 to 72 hours, at the discretion of the head of the camp) only with close relatives--it is usually impossible to have such a visit with a common law wife; "the right" to these meetings can be taken away as a punishment. In prison one has no right to personal visits.

Medical help is limited by the conditions of the regimen of the corrective labor institution and by the terms of additional punishment. (As a rule, even extremely ill people are not let off from additional punishments right up to the isolation cell.) The medical personnel of these institutions are functionaries of the Ministry of Internal Affairs (MVD) and endorse their activity, first of all with the arrangements and tasks of the punitive-"corrective" organs of the Ministry and the KGB.

For example, several times in 1975-1976 they put Yakov Suslensky, a prisoner of conscience who suffers from cardio-vascular ailments, into an isolation cell; even after a severe heart attack he was not taken out of the cell; in March, 1976, after he left the isolation cell he had a stroke. They put the paralysed prisoner Platoshizhe (?) in an isolation cell--carrying him in on a stretcher!

A doctor of the Medical Administration of the Soviet Ministry of Internal Affairs in the spring of 1976 explained to the mother of a political prisoner in Vladimir prison, A. Sergienko, who has tuberculosis, that it was not in the power of the doctors to change or ease the terms of his imprisonment; if Sergienko "did not follow the rules" and he was put into solitary, that did not concern the doctors who were there "only to heal"; doctors did not get involved in administrative matters. From May 1975 until April 1976, Aleksandr Sergienko was put in an isolation cell four times where he spent 50 days in all (they said it was because Sergienko wrote complaints about violations of the law, and ridiculed other prisoners). Furthermore, because he had refused to do forced labor in Vladimir prison, Sergienko was put on a "lowered diet regimen" for a month and for almost six months on "strict regimen" with a lowered dietary norm and long walks (on "general regimen" walks are conducted for one hour per day, on "strict", 1/2 hour per day; one is not allowed to go for walks from the isolation cell).

Frequently, sick prisoners of conscience are deprived of medical help, even if they are in dire need of it. Falling ill, they are only occasionally freed from their obligation to work and only rarely land in the hospital; (the regimen is like that in a cell, the sanitary conditions are bad; however, the diet is a lot better than the usual one--here we mean a camp or prison hospital). In the sanitary station and in the hospital, essential medicines are frequently missing, even those which can be had "on demand" in pharmacies, not to speak of medicines which are always in short supply. Attempts of relatives and friends to send needed medicines in most cases are futile: both the administration and the doctors refuse to accept them.

Many prisoners of conscience have appealed to the Soviet government, the leaders of the Soviet Communist Party, with requests and demands to admit into Soviet corrective labor institutions, representatives of the International Red Cross, who have never visited Soviet camps and prisons (although they could get into camps even in Hitler's Germany).

Examining the exchange of political prisoners Bukovsky and Corvalan which was conducted by the governments of Chile and the USSR as a first step in the liberation of all political prisoners--prisoners of conscience, from a humanitarian point of view, we suggest that prisoners who are in a bad state of health should be released before any others.

This measure does not contradict Soviet laws. Article 100 of the Corrective Labor Code of the Russian SFSR, and the corresponding articles of the codes of the other republics, provide that people who have been sentenced, who are psychologically disturbed or otherwise severely ill, are barred from further serving their sentences in places of imprisonment, that they can be freed before the end of the term to which a court has sentenced them. Article 369 defines the process of such liberation: the medical commission makes a conclusion about the state of health of the person under sentence, the administration, on the recommendation of the commission transfers the matter to a local court and the court decides to free a prisoner before his term is up. This procedure is called by the prisoners an "activated" or "commission" one.

However, in practice they "activate" only those prisoners whose days are already numbered.

And so, Aleksandr Sergienko's mother (whom we have already mentioned), turning to the Medical Administration of the Ministry of Internal Affairs of the Soviet Union with a request that they "activate" the case of her son, was told that they "activate" only "invalid" ill (that is, those who already cannot move around by themselves), yes and even then with great difficulty. For example, the political prisoner Mikhail Dysk, who had fallen ill with lymphogranulomatosis, was not freed for three years after confirmation of the diagnosis; they managed to get Dyak to acknowledge the charges for which he had been imprisoned as being criminal and to ask for a pardon; their refusal to "activate" Dyak was also based on the fact that he "had not started on the path to correction". Only then, when Mikhail Dyak was already in an extremely bad state and they feared that he might die at any time, did they commission his case. A year after this he died...

In the supplement to this document we give a list of political prisoners whom we know to be severely ill (and who should be "activated" in accordance with Article 100 of the Corrective Labor Code of the Russian SFSR). Unfortunately, our list is far from complete and does not always mention all the ills which afflict each of them. This is explained not only because of the difficulties in collecting such information. (Prison and camp censorship frequently does not pass letters which contain complaints about health. Most ill prisoners do not know the diagnoses of the sicknesses from which they suffer: in certain cases there was no diagnosis of their illnesses, or no diagnosis at all; in other cases the patient was not informed of the results of the diagnosis.) More detailed material which we had collected, perished during a fire in M. Landa's apartment and was confiscated during searches of the apartments of Yu. Orlov, A. Ginzburg and L. Alekseeva. We have included in the list, information which we managed to save or to collect again. In the future, we will try to make this information more exact and to amplify it.

Following are the names of political prisoners, listed in the appendix to Document #17, as individuals whose poor state of health justifies their early release.

Vladimir Prison, Special Regimen

Vasili Fedorenko
Trofim Shinkaruk
Yuri Shukhevich

Vladimir Prison, Strict Regimen

Zinovii Antonyuk
Vladimir Balakhonov
Nikolai Budulak-Sharygin
Georgi Davydov
Gabriel Superfin
Leib Khnokh
Bograt Shakhverdyan

Camp Special Regimen (Mordovian ASSR, Institution ZhKh-385 (1)

Ivan Gel
Svyatoslav Karabanski
Eduark Kuznetsov
Valentine Moroz
Aleksey Murzhenko
Mikhail Osadchi
Yuri Fedorov

Women's Political Camp, Special Regimen (Mordovian ASSR, Institution ZhKh-385 (3-4)

Oksana Popovich
Irina Stasiv-Kalynets
Irina Senik
Stefaniya Shabatura

Camp, Strict Regimen, (Mordovian ASSR, Institution ZhKh-385)

Paruir Airikyan
Vasili Lisovoi
Vladimir Osipov
Petr Sartakov
Sergei Soldatov
Ludovitsas Simutis
Vasili Stus
Yuri Khramtsov
Vyacheslav Chernovol

Camp, Strict Regimen, in the Urals, Perm Oblast, Institution VS 389

Dmitri Basarab
Gimpu
Stepan Sapelyak
Sergei Kovalev
Valeri Marchenko
Iosif Medelevich
Vasili Pidgorodetski
Razmik Eograbyan
Evgeni Pronyuk
Aleksandr Sergienko
Ivan Svetlichni

Those brought to trial from political motives who are now in various criminal camps, having been sentenced on false charges

Vladimir Arkhangelski
Mustafa Dzhemilev
Aleksandr Feldman
Mikhail Shtern

Political Exiles

Vladimir Gandzyuk
Pavel Kampov
Mykola Gorbal
Aleksandr Bolonkin
Anatoli Marchenko

THE PUBLIC GROUP TO PROMOTE COMPLIANCE WITH THE HELSINKI ACCORDS IN THE USSR

Document #18

On the Situation of the Meskhetians

January 14. 1977

Members of the Group:

Lyudmila Alekseeva
Elena Bonner
Aleksandr Ginzburg
Pyotr Grigorenko
Aleksandr Korchak
Mal'va Landa
Yuri Orlov
Vladimir Slepak
Anatoly Shcharansky

The Meskhetians are an ancient Georgian tribe which has lived in Meskhetia (the southern part of Georgia bordering on Turkey) for centuries.

At present, part of the Meskhetians consider themselves Georgians, part consider themselves Turks, and the majority are hard put to answer such a question.

In 1944 the Meskhetians were deported from Meskhetia to Central Asia. This was an act analogous to the deportation of the Crimean Tatars. After 1956, a large portion of the Meskhetians were allowed to resettle in the Caucasus — in Azerbaidzhan, Dagestan and Kabardino-Balkaria. But they were not permitted, to return to Meskhetia, or even to any other part of Georgia.

Formally, the right of Soviet citizens to choose their place of residence is not legally restricted on national or religious grounds. Actually, there is a policy of national, as well as religious, apartheid, which is adopted in regards to the Meskhetians as well as in regards to the Crimean Tatars, the Germans, part of the Koreans, Western Ukranians and Lithuanians, members of many religious sects, former political prisoners, and others.

By order of the Procurator General of the USSR, (No. 54, November 9, 1972) Meskhetians and other national groups which lived in this region are guaranteed the right to equality before the law. However, this order (obviously on the instructions of higher, that is, party organs) is not implemented. It conforms so little to the actual political situation, that it was confiscated in the search of Yuri Orlov's apartment on January 1, 1977. (See Public Group Document No. 16, the supplement, Protocol of the Search of Yu. F. Orlov's apartment, point #132.)

The Public Group has been given a whole list of documents confirming that the Meskhetians are not satisfied with their position as deportees and are actively seeking their return to their historic homeland. The Meskhetian-Georgians and the Meskhetian-Turks are following different paths to achieve this. The former are collecting -- with the help of the Initiative Group for the Defense of Human Rights -- the signatures of heads of families on petitions and appeals to the authorities, in which they insist on their ancient right to carry Georgian nationality. The Public Group has received lists with the signatures of more than 1,100 family heads, representing nearly 7,500 people. These lists were confiscated in the search of Yu. Orlov's apartment (See the above mentioned Protocol of the search, Point 134). Also confiscated was the appeal by the Georgian-Meskhetians and members of the Initiative Group requesting the Public Group's participation in returning the Meskhetians, if not to Meskhetia, then at least to Georgia. They are prepared to settle in any district, if necessary, in small groups and in various villages. These are more than modest, loyal and legal demands.

The Turk-Meskhetians did not appeal to the Public Group, but presented it, in the way of information, with the resolutions of its eleventh and twelfth congresses (the last of which took place in the summer of 1976). These resolutions were also confiscated in the search of Yu. Orlov's apartment. The Turk-Meskhetians demand their return to Meskhetia, agreeing to extend this repatriation over several years. The authorities, however, completely ignore their requests and suggestions.

It is well known that as a result, the Turkish Meskhetians have turned for support to the Turkish government, but to no avail. Despairing, many of them now demand resettlement in Turkey. Those who are more extreme even say that if the problem of repatriation is not decided, they will being to call for the annexation of Meskhetia to Turkey. (Yuri Orlov explained to them that such a demand contradicts the Final Act of the Conference on Security and Cooperation in Europe, which Turkey signed.)

We assert that in relation to the Georgian and Turkish Meskhetians, the Soviet government is grossly violating its obligations to national minorities as stated in the Final Act: "The participating States on whose territory national minorities exist will respect the right of persons belonging to such minorities to equality before the law..."

THE PUBLIC GROUP TO PROMOTE OBSERVANCE OF THE HELSINKI
AGREEMENTS IN THE USSR

Document #19

The Soviet Authorities Break Up the International Symposium on Jewish Culture

January 10, 1977

Members of the Group:

Lyudmila Alekseeva
Malva Landa
Aleksandr Korchak
Naum Meiman
Yuri Orlov
Vladimir Slepak
Anatoly Shcharansky
Petr Grigorenko
Elena Bonner

> "The particpating States on whose territory national minorities exist will respect the right of the persons belonging to such minorities to equality before the law, will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will, in this manner, protect their legitimate interests in this sphere." The Final Act of the Conference on Security and Cooperation in Europe, (Principle - VII, paragraph 4)

According to the last population census, there are more than 2 million Jews in the Soviet Union. In comparison to the situation of the other national minority groups, the Jewish people are in an unfair position. In particular, their right to develop their own national culture is violated.

In the USSR, there are no Jewish schools, there is not a single national theater or any other kind of cultural center. There exists only one newspaper (the oblast "Birabidzhaner Shtern"--"Birobidzhanskaya zvezda") in Yiddish and there is not a single printed publication in Hebrew. The situation worsens from year to year due to natural causes: people who know Hebrew and Yiddish, Jewish literature, history, national traditions and customs are dying, while the authorities use various methods to hinder both adults and young people from studying their native language, history and culture. There are no courses for the study of Hebrew and Yiddish; private instruction in Hebrew is repressed; and books on Jewish history or culture are not published. Textbooks and other literature either in Russian or Hebrew--and materials on Jewish history and culture are confiscated during searches. The Bible--a holy text for two religions--which is both the history and epic of the Jewish people-has become a rarity even in library collections and is also frequently confiscated during searches.

The artificial character of the stagnation of Jewish culture in the Soviet Union is especially evident when one compares it with its present flowering in the West.

Concerned by the prospects of the destruction of the culture of an entire people, an initiative group headed by Professor Veniamin Fain set itself the goal of holding in Moscow an international symposium on Jewish culture--a committee for the symposium was set up and sent out invitations to a group of well known scholars and cultural leaders abroad and to the corresponding official Soviet organizations. The symposium was supposed to open on December 21, 1976 and to last 3 days. Its schedule included 55 reports, of which 14 were to have been given by foreign guests.

Despite the fact that the preparations for the symposium were conducted completely in the open, the authorities reacted to it as to a "dangerous", "provocative" enterprise. An avalanche of prohibitions and direct repressions descended on the organizing committee and the prospective participants:

1. All foreign scholars who had been invited to the symposium were refused entrance visas. Even tourists who were suspected of being interested in the symposium received refusals. At least 3 citizens of the USA (lawyers Frederick Stant and Charles Hofheimer and Dr. Larry Goldman from Norfolk, Virginia) who informed the authorities about their interest in the symposium were expelled from the Soviet Union.

2. The members of the organizing committee and people connected with it were subjected to house searches and questioning which lasted for many hours. During the searches, all literature in Hebrew and Yiddish--including dictionaries--the text of reports for the symposium and all preparatory materials for them were confiscated.

3. 19 Jews, who had any relation at all to the symposium, had their telephones cut off.

4. On December 21, the members of the organizing committee and most of the people who were supposed to give papers were arrested in Moscow. As a result, over the next 3 days these people were either under house arrest or held for questioning in the Moscow city procurate, the usual post-search investigative agency.

5. In Riga, Kishinev, Tallin, Tbilisi, Minsk, Leningrad, Vinnitsa, and Odessa, people were held when they attempted to go to Moscow to attend the symposium. Some of these people were subjected to lengthy questioning (for example, P. Reitberg in Kishinev was held for questioning for 10 days). In Vilnius, criminal proceedings were begun against a member of the organizing committee, Professor N. Salansky.*

All this repression was aimed not only at breaking up the symposium, but also at frightening its possible participants. Despite this, on December 21, in Grigory Rozenshtein's apartment 60 people got together to listen to 7 papers which had been saved from confiscation. In this way, the symposium which was supposed to have been broadly based, became a purely symbolic one-day seminar, but the authorities wanted to break up even this: from time to time KGB workers tried to force their way into the apartment.

By breaking up the symposium on Jewish culture, the authorities violated the Soviet Constitution and Soviet laws. All their actions took place in clear contradiction to both the spirit and letter of the Final Act of the Conference on Security and Cooperation in Europe (See Principles VII and VIII, of the section, "Declaration on Principles Guiding Relations between Participating States" and (Section I, Paragraphs 2-4 "Of Cooperation in Humanitarian and Other Fields.")

*(Salansky received permission to emigrate in April, 1977 - Ed.)

Supplement to Document #19

1. Membership of the organizing committee of the symposium: Moscow--Pavel Abramovich, Mark Azbel, Iosif Ass, Iosif Begun*, Viktor Brailovsky, Leonid Volvovsky (Deputy Chairman), Feliks Kandel, Vladimir Lazaris, Evgeny Liberman, Arkady Mai, Vladimir Prestin, Veniamin Fain (Chairman), Ilya Essas; Leningrad--Evgeny Abezgauz*, Aleksandr Boguslavsky*; Kiev--Vladimir Kislik, Aleksandr Mizrukhin*; Tbilisi--Isai Goldshtein, Grigory Goldshtein; Riga--Valery Kaminsky, Arkady Tsinober, (Herman) Shapiro*, Frenkel; Vilnius--Naum Salansky*, Vladimir Drot; Tallin--Benor Gurfel*; Minsk--Ilya Goldin; Kishniev--Petr Reitberg*; Vinnitsa--(Mikhail) Mager, (Boris) Dykhovich.

2. Searches in connection with the symposium, in order to seize materials about Jewish history and culture, were conducted in the apartments of Veniamin Fain (4 times), Vladimir Prestin (twice), Pavel Abramovich (twice), Leonid Volvovsky (twice), Iosif Begun, Viktor Brailovsky, Vladimir Lazaris, Ilya Essas, Evgeny Liberman, Feliks Kandel, Mikhail Chlenov, Galina Mendzheritskaya*, Natan Polotsky, Luba Vilenskaya, L. Dubyanskaya, Vladimir Slepak (all of whom reside in Moscow); Petr Reitberg (Kishinev); Isai Goldshtein, Grigory Goldshtein (Tbilisi); Aleksandr Mizrukhin (Kiev); Naum Salansky (Vilnius).

3. Members of the organizing committee were called in for questioning in the procurator's office in Moscow, Leningrad, Tallin, Kishinev, Vilnius, Tbilisi, Riga, and Minsk. In addition, Mikhail Chlenov (3 times), Galina Mendzheritskaya (4 times), Vladimir Slepak, Grigory Rozenshtein (all in Moscow), Elizaveta Bykova (Tbilisi), and Vladimir Raiz (Vilnius) were also questioned. Petr Reitberg (Kishinev) was questioned for 10 days, Ilya Goldin (Minsk) and Benor Gurfel (Tallin)--4 days. In Vilnius, criminal proceedings were begun against Professor Salansky under article 199 of the Lithuanian Criminal Code on the purposeful dissemination of fabrications against the Soviet governmental and societal structure.

4. On the day of the beginning of the symposium, KGB workers in Moscow held all the members of the organizing committee, and also Aleksandr Lerner, Veniamin Levich, Grigory Rozenshtein, Vladimir Shakhovsky, Mikhail Chlenov, Boris Chernobylsky, and Vladimir Slepak. Until December 24 all members of the organizing committee were held under house arrest as well as Aleksandr Lerner, Vladimir Slepak, Yuli Kosharovsky, Mikhail Chlenov, Vladimir Shakhovsky.

5. No members of the organizing committee (from outside Moscow) were allowed to go to Moscow. Isai and Grigory Goldshtein, who had arrived in Moscow, earlier, were arrested and deported to Tbilisi where their apartments had been searched. Aleksandr Smelyansky* of Kiev managed to arrive in Moscow and participated in the one-day seminar--for this he was dismissed from work.

6. Vladimir Prestin and Riva Feldman were given written warnings by the KGB in connection with the symposium. In addition to the members of the organizing committee, Valery Faerman, Mikhail Chlenov, Aleksandr Lerner and Anatoly Shcharansky* were given oral warnings by the KGB.

7. The following people had their telephones disconnected: Arkady Mai, Naum Meiman, Iosif Begun, Galina Mendzheritskaya, Lev Ulanovsky, Riva Feldman, Igor Tufeld*, Slepak's neighbors, Fain's mother, Leonid Volvovsky, Ilya Essas, Mikhail Chlenov, Evgeny Liberman, Aleksandr Lipavsky*, Luba Vilenskaya, Vladimir Lazaris and Yakov Rakhlenko (the last five persons had their phones reconnected after a week).

Asterisks

1. *(Iosif Begun was subsequently arrested and is scheduled to go on trial on charges of "parasitism" on June 8th - Ed.)
   *(Evgeny Abezgauz has emigrated - Ed.)
   *(Aleksandr Boguslavsky has emigrated - Ed.)
   *(Aleksandr Mizrukhin has emigrated - Ed.)
   *(Herman Shapiro has emigrated - Ed.)
   *(Naum Salansky received permission to emigrate in April, 1977 - Ed.)
   *(Benor Gurfel received permission to emigrate in May, 1977 - Ed.)
   *(Petr Reitberg has emigrated - Ed.)

2. *(Galina Menzheritskaya has emigrated - Ed.)

5. *(Aleksandr Smelyansky has emigrated - Ed.)

6. *(Anatoly Shcharansky was arrested in March, 1977, after a fellow refusenik, in an open letter to the Soviet press, reported that he and other Soviet Jews were recruited as informers by CIA agents. Shcharansky is being held at Lefortovo Prison while an investigation of the charges of "treason" and "espionage" is being carried on - Ed.)

7. *(Igor Tufeld has emigrated - Ed.)

*(Aleksandr Lipavsky is the refusenik who accused others, including Anatoly Shcharansky, of working for the CIA. Lipavsky, in an open letter to Izvestia in March, 1977, detailed how US Embassy personnel and American journalists in Moscow recruited the refuseniks into espionage activities. More recently, Lipavsky appeared at a press conference in Moscow on May 6 at which he repeated his previous charges and repented his former lifestyle. - Ed.)

THE PUBLIC GROUP TO PROMOTE COMPLIANCE WITH THE HELSINKI ACCORDS

Document #20

On the Violation of the Citizens' Right to Emigrate

March - April 1977

Members of the Group:

Malva Landa
Elena Bonner
Natan Meiman
Vladimir Slepak

"Each person has the right to leave any country, including his own."
- The International Covenants on Human Rights

Throughout the recorded history of mankind, freedom of movement inside and outside one's country, has been a basic sign of what separates a free man from a slave or a serf. The natural right of freedom to movement is rooted in the consciousness of man and is not associated with politics or ideology. This freedom is not merely one human right, but the precondition for all others -- without it, the rest are only illusory.

At present, there is a rather large group of citizens of various nationalities who would like to leave the USSR. Their reasons for wishing to emigrate are national -- for example, German emigration -- religious, social -- persecution by the authorities, the status of having no rights, for example, the discrimination against former political prisoners -- political, economic, and so on. It is often difficult to separate the reasons for wishing to emigrate since a score of reasons are evident. For example, hundreds of families (thousands of people) of Christian-Pentacostal, Baptist and other faiths who do not want their religious life subject to the dictates and control of the government, are persistently seeking to emigrate. They are subjected to various repressions and to social and economic discrimination for their devotion to their faith. Almost the same can be said of many Germans who, wishing to preserve their nationality and language, are still subject to discrimination. In the recent past, they have undergone the harshest of persecution. The desire to emigrate has been expressed by many thousands of Germans.

In a number of cases, attempts to emigrate are accompanied by statements of renunciation of citizenship. The Public Group is aware of hundreds of such statements, some from persons of German nationality, and some from present and former political prisoners. Such statements, as a rule, are not answered - some prisoners received the answer that the matter will be considered at the end of their terms.

Often, attempts to emigrate and also, renunciation of citizenship, bring a series of repressions: difficulties at work, dismissal from jobs; all kinds of threats from official Soviet organs, from district, village and city soviets, etc., from various levels of the CPSU, KGB, MVD, Procurator's office.... including bandit raids, assaults, and other purely criminal acts; and arrests and convictions on trumped-up and falsified charges. Everyone who announces his wish to leave the country, and who tries to realize his desire through legal means, takes a risk.

The organ directly responsible for emigration, OVIR, usually refuses to even accept an emigration application without an invitation from relatives. Normally an invitation is required from relatives in Israel, or, for persons of German nationality, from relatives in the FRG (Federal Republic of Germany). Furthermore, the authorities assume the right to decide whether or not these relatives are suitable.

Thus, for example, OVIR refuses to accept and consider applications from people desiring to emigrate for religious reasons, if they do not have invitations from relatives abroad. In February and March 1977, applications from 200 Evangelist, Christian-Pentacostal and Baptist families residing in the Northern Caucasus, the Caucasus, the Ukraine, the Far East and other regions of the USSR, were sent to the Supreme Soviet of the USSR. (Together with children, these applications affected 1000 people.)

In December 1976, the Riga OVIR refused even to give V.N. Sulimov the forms necessary to apply for exit from the USSR to take up permanent residence in another country. Sulimov stated that he wished to leave for the United States. He travelled to Moscow in order to appeal to the U.S. Embassy, but before reaching the Embassy, he was seized by KGB agents. The latter handed him over to police, who searched him and then threw him out of Moscow (to return to Riga).

The OVIR also refuses to accept and consider applications from the Andreev family (Leningrad), who insist upon their right to leave the country without an invitation. The Andreevs cite the International Covenants on Civil and Political Rights. They likewise demand the cancellation of the huge 500 ruble government fee for the renunciation of Soviet citizenship. This tax - or more correctly ransom - also contradicts the International Covenant on Civil Rights. To support their demands, N.I. Andreeva and her husband Yu. D. Andreev held a prolonged hunger strike (almost 40 days) in January and February 1977.

In January 1977, two Muscovites - V.G. Baranov and his wife R.E. Baranova - sent a statement on their desire to emigrate to the Supreme Soviet of the USSR:

> "I ask that you examine the question of my
> emigration from the Soviet Union for political
> and moral reasons.
> The Final Act of the Conference on Security
> and Cooperation in Europe, the International
> Covenant on Political and Civil Rights are
> documents which give me the right to choose
> the country of my residence.
> For personal reasons, I consider it necessary
> to realize this right.
> If the Supreme Soviet considers it necessary
> for the resolution of this question to
> deprive myself and my family of Soviet
> citizenship, I hereby signal my agreement..."

Approximately the same statement was sent to the Leningrad OVIR by sculptor, Nelly Pavlovna Poletayeva (b. 1946) and by the artist, Olga Sergeevna Slutkovskaya (b. 1953).

Many citizens do not receive permission to leave the country, even when they have vyzovs (emigration invitations) from relatives abroad. For example, former political prisoner Evgeniy Gritsyak, a Ukrainian, has been seeking permission to emigrate since 1974.

Aleksandr Malakhazyan (Yerevan), in a statement of September 1, 1976 addressed to the UN Human Rights Commission, revealed that he had announced his desire to emigrate in 1972, but that the authorities had refused to accept his application until 1974. In June 1974, he sent a statement renouncing his Soviet citizenship and the government tax for renunciation of citizenship (500 rubles) to the Presidium of the Supreme Soviet of the USSR. In August of 1975, he received a reply: the Presidium of the Supreme Soviet of the USSR declined his application to renounce his Soviet citizenship (!). "Since then," writes A. Malakhazyan, "the authorities have illegally refused to permit me to emigrate.. the authorities have in secret repressed and frightened me and my relatives: 3 times I was confined to psychiatric institutions.. repeatedly, my father has been called in by the KGB because of my letters which the KGB has gotten from the editorial offices of newspapers and the Central Committee of the Communist Party."

In many cases, the authorities even prevent emigration for the purpose of family reunification. Since 1974, Irina McClellan (Moscow) has not been allowed to emigrate to join her husband in the United States. Maria Pavlovna Kotovich (b. 1938) cannot get permission to live with her aged parents in Canada. In her statement to the Public Group to Promote Observance of the Helsinki Agreements in the USSR, she says that during the war, her father was taken off to work in Germany and after the war he emigrated to Canada: in 1967, her mother received permission to leave the Soviet Union and went to live with her husband in Canada. Since 1969, Maria Kotovich's father has been sending her vyzovs (invitations) for permanent residence in Canada. "I have handed in all these materials to the local passport office and I am always turned down. They never explain anything, they just say -- you've been refused. On March 5, 1976 I gave them my invitation and was once again refused. I have already handed in 5 invitations. I am a dressmaker and my husband is a stoker for bakery ovens..." Maria Kotovich, Leshnev village, Brotsovsky region, Lvovsky oblast.

The obstacles put in the way of emigration are also illustrated by the case of the Metke family in Latvia. The authorities gave them permission to join their sister in the Federal Republic of Germany, and then found a pretext for taking away this permission. The Metke family was informed of this cancellation only at the very last minute and so they found themselves on the street -- without any place to live, and without any money.

The situation of German emigration from the USSR will be examined in the next report of the Group to Promote - Document #22 of March 26, 1977.

Principle VII of Basket I of the Final Act on "Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief," contains, in part, the clear and unambiguous obligation of all countries which ratified the International Covenants on Human Rights for strict observance of the right defined in these pacts. The Soviet Union has ratified the Pact on Civil and Political Rights of which article 12 paragraph 2 is used here as an epigraph.* Any violation of this article is likewise a violation of the Final Act of the Helsinki Agreements.

*"Every person has the right to leave any country, including his own."

OBSTACLES TO EMIGRATION: ARTIFICIAL "CONSIDERATIONS OF THE REGIME"

Signed by: V. Prestin, M. Azbel, N. Salansky, A. Lerner, V. Slepak and 30 other Jews.

This document was transmitted by the Public Group to Promote Observance of the Helsinki Accords in the USSR, of which V. Slepak is a member.

To the Central Committee of the Communist Party of the Lithuanian SSR

For a long time we have not been able to go to Israel to be reunited with our mothers, brothers, sisters. The competent Soviet organs refuse to give us exit visas, saying that in the past we have done work which required security clearances. However, as is evident from the facts presented below, these refusals--due to "considerations of the regime"--are unfounded. We will reveal the facts by giving concrete examples:

At the start of 1973 in Vilnius, Vladimir Raiz was officially refused an exit visa due to his service in the army--in which he had not served even a single day! After more precise explanations revealed the absolute senselessness of this refusal, "regime" restrictions were imposed on him on the basis of work at NIEFI (the Scientific Research Institute for Electro-Physics) which he performed 11 years ago as a young specialist. It is hard to imagine that information with which a young specialist--not the director of an institution--had worked 11 years ago has not become dated. Is it possible that during these 11 years in NIEFI there has been no progress, no forward movement?

Apparently, this is not the case. The real situation is confirmed in a letter of March 17, 1976, from Comrade A. Ivanov, the Deputy Chairman of the Department of Radio Industry of the State Planning Committee of the USSR under the Council of Ministers, (#56-403): "Investigation shows that the technical activities of the Institute during these years get a positive evaluation. A significant increase in the technical level of the engineering and technical workers...for the period of 1965-1976, only in the collective of the subdivision in which V. Raiz worked, 6 engineers defended their candidate dissertation and one--his doctoral dissertation."

It is hard to imagine a more telling proof that the meager information which might have been made available to a young specialist 11 years ago has become dated. The absurdity of this type of "regime" restrictions is obvious.

Actually, the officials themselves recognized this and ascribed "regime" restriction to V. Raiz based on his second place of work--the Institute of Molecular Biology of the Soviet Academy of Sciences. However, even here "regime" restrictions are artificial. The Chief of Personnel Administration for the Soviet Academy of Sciences, G.A. Tsypkin, under instructions from the President of the Academy of Sciences, Academician V.A. Kotelnikov, in a letter of July 30, 1975 (#10105-330/29) says: "We are not informed of any obstacles from the point of view of the Academy of Sciences to V. Raiz' emigration from the USSR." In confirmation of G. Tsypkin that there was no access to classified information at this stage of his work, M. Petruts, the recipient of a Nobel Prize writes: "The work of V. Raiz in the laboratory of Professor Andreeva in the Institute of Molecular Biology in the Soviet Academy of Sciences in the study of the structure of protein, was conducted in the framework of an international program. Moreover, the programs for this research for computers were compiled in England. These researches have purely scientific interest and no connection of any kind with armaments."

Even before N. Salansky (Vilnius) received an official refusal from Captain Stepanov, a worker in OVIR in the Ministry of Internal Affairs of the Lithuanian SSR, he was informed that the membership of the commission deciding the question of his exit permission had been changed. It had been evenly divided: half wanted to give him permission; the others were against. Moreover, those people who were opposed to giving him exit permission relied on the argument that he had moved in 1972 from Siberia to Vilnius. The Deputy Minister of Internal Affairs for the Lithuanian SSR, K. Zhengulis, during a conversation on March 17, 1976 also made it quite clear that what was being held against Salansky was his move to Lithuania--the place where he was born, spent his childhood in a Fascist death camp--the Kaunus ghetto--and from which, after the war, in the years of the Stalinist terror, Salansky had to follow his parents who had been exiled without trial or investigation to Siberia. And his return is held against him!

Finally, he was refused because of "considerations of the regime". Months of waiting were necessary in order to get an explanation from Zdanavichyus, the senior worker of the Central Committee of the Lithuanian Communist Party, that security restrictions had been placed on him in connection with his work at the Institute of Electrographics--in which he had not worked even a single day. Zdanavichyus needed another month in order to be convinced that Salansky was telling the truth. Then they invented new formulations for the refusal: "regime" restrictions in connection with work on sound recordings at the Institute of Physics--and this was in regard to work which he had never done! Comrade Zdanavichyus again needed quite a long time to convince himself that Salansky was right, but then new formulas were manufactured for the refusal, again completely groundless.

In reality, after graduating from the Pedagogical Institute with a degree as a high school physics teacher, Salansky worked only in the Institute of Physics for the Siberian Division of the Soviet Academy of Sciences. All the time he was employed, Salansky was working only on problems in the public domain. This is attested to in the references given to him before his dismissal from the Institute and signed by Corresponding Member I. Terskov, Director of the Institute; and by Doctor of Science, G.M. Lisovsky, Secretary of the Party Organization; and by Candidate in Science, N.S. Chistyakov, Representative of the local committee of the Institute: "The phenomena in physics which N. Salansky studied, made it possible to find solutions for the construction of sensors for medico-biological problems." (Not for the construction of cannons!) Further: "All projects of N. Salansky were published in the main Soviet and foreign journals and in other open publications (reports, collections, etc.)."

Inquiry into the unclassified nature of his work finds even further confirmation in a series of other official documents: the list of scientific projects, the work schedules of the laboratory in which he worked, appropriately authorized by the Scientific Secretary and Director of the Institute. According to instructions for business trips, he was never allowed acquaintance with any kind of national secrets. The facts which have been mentioned reveal the complete artificiality of the "regime" restrictions which have been ascribed to him. Here it is appropriate to mention--going back to that conversation with Captain Stepanov--that if N. Salansky really did have security clearance, then none of the members of the commission which was deciding the question of his departure to Israel would have dared to suggest that he be given permission to emigrate.

S. Girshovichus was told several times in the Ministry of Internal Affairs, in the Central Committee of the Communist Party and in the KGB of the Lithuanian SSR, that "regime" restrictions on his emigration were imposed in connection with his work in the Vilnius construction bureau for tape recordings, (VKB MZ) from which he had been dismissed in 1972. There, however, he had worked on the development of the magnetic needle. He had not participated in any classified work (cf. his section's work plans for the last 10 years). Moreover, his brother, Isaak, who had worked with him until 1972 in the same division and who had the same qualifications, already got permission to emigrate to Israel in 1974. In 1976, the group of authors in the VKB MZ which had worked on the magnetic needle were awarded the public All-Union Prize of the Lenin Komsomol. On that occasion, the newspaper, "Komsomol Truth" stated in an article on November 21, 1976 by Konchyus that "until 1972 there had been no good domestic needles" i.e. good needles began to be produced only after Girshovichus had been dismissed from the VKB MZ. Even the enterprise in which Girshovichus worked agreed that it was absurd to place him under security restrictions. R. Yasinavichus, the chief engineer of VKB MZ, in letters (#4086 and 4313) of October 6, 1975 and December 20, 1975, noted that the enterprise had had nothing to do with forbidding his emigration. It is appropriate to note that magnetic needles and their construction, because they are completely in the public domain, are exhibited at numerous international exhibitions (for example, at the recent Bulgarian exhibition, Izotimpex, which took place in Vilnius). Furthermore, the complex of equipment for a whole factory for magnetic needles was purchased, on the recommendation of VKB MZ, from the West Berlin firm, "Bogen."

Thus, on the one hand, the responsible officials of the KGB and the Central Committee of the Communist Party of the Lithuanian SSR (in the person of Zdanavichyus) announce that "regime" restrictions are put on Girshovichus for his work on magnetic needles in VKB MZ; on the other hand, the documentary evidence presented above refutes that.

Ya. Aronson received refusals due to "regime" considerations for his work from 1959 until 1972 in the Kaunus Scientific Research Institute of technical measurement. In actual fact, Aronson did not participate in any secret projects. All his work was published in the open press together with the work of his former supervisor, Boeris. He participated in the development of an instrument which was exhibited in an international show at Leipzig and was mentioned (among others) in the newspaper, "Kaunasskaya Pravda" on August 28, 1973. Moreover, his former supervisor, Boeris, already got permission to emigrate to Israel in 1975. Furthermore, the information to which Aronson had access--as one of many colleagues of Boeris, naturally was of less extent and significance.

Thus, the above-mentioned examples convincingly illustrate the fact that regime restrictions against emigration to Israel are artificially imposed, create arbitrary conditions influencing decisions on the issuance of visas, and are manipulated as an instrument to repress the desire of Jews to emigrate to their homeland in Israel.

Document 22

On the Problem of German Emigration from the USSR to the FRG

Many Germans who live in the U.S.S.R. wish to leave for the F.R.G. The authorities -- in gross violation of the rights guaranteed by Soviet laws, and of the rights proclaimed in pacts ratified by the Soviet Union -- create obstacles to emigration. Only a small number of those who wish to leave are able to do so. Thousands of people have been unable to secure emigration permission for years. People involved in the emigration movement have been subjected to various forms of administrative and judicial harassment.

According to information at our disposal, there are at present in the Kirghiz SSR OVIR around ten thousand unresolved applications for permission to emigrate from the U.S.S.R. to the F.R.G. (attached to these applications are the documents required by OVIR, including invitations from relatives in the F.R.G.) There have been occasions when OVIR even refuses to accept such applications. The reasons for refusing emigration applications -- if any are given -- are absurd: one person is denied because the relative who sent the invitation is not a close enough relative; for others, the relative abroad is close enough but the applicant's other relatives -- close or distant -- remain in the U.S.S.R., etc.

In May-June 1976, several hundred Germans who live in Kirghizia and Kazakhstan -- and who have long been seeking permission to emigrate from the U.S.S.R. -- undertook a decisive and risky act (given the conditions in our country). They renounced their Soviet citizenship and turned in their passports (!). At the same time, they paid the state fee for renunciation of Soviet citizenship (500 rubles for each person above the age of 16). The statement on renunciation of citizenship and emigration for permanent residence in the F.R.G., along with the documentation on payment of the state fee and the surrender of the passport to the Ministry of Internal Affairs (MVD) were sent to the republic Supreme Soviet.

In taking this action, the Germans relied on Soviet law, particularly on the Soviet Council of Ministers edict of December 2, 1970, effective on January 1, 1977: "Any person not connected with state or military secrets, classified documents, and the defense industry, is guaranteed renunciation of citizenship with subsequent emigration from the territory of the U.S.S.R."

And here is a description of the authorities' response to this action:

"We all turned in our passports to the MVD, but we still are not permitted to leave the territory of the U.S.S.R. Our situation after turning in our passports has become even more complicated. Retirees are not paid their pensions, everyone is subjected to administrative penalities -- monetary fines (through the city councils, the rural councils). Moreover, official state representatives state that criminal charges will be filed against each person who turned in his passport...In the Alma Ata oblast, citizens who turned in their passports are not being paid their salaries, intolerable moral conditions are being created..."

"Artur Klink, born in 1905, and Viktor Klink (Artur's son) were summoned for "chats" with the chairman of the city of Issyk. The KGB chief and his assistant and the deputy prosecutor of the Enbekshi-Kazakh region, and others were present. The Klinks were insulted and threatened, and the authorities insisted that they take back their passports. After fruitless discussions, Artur and Viktor Klink were sentenced in May 1976 to 15 days of imprisonment for supposedly expressing dissatisfaction with Soviet emigration legislation. Yakov Veimar also received a 15-day term for this reason."

The section quoted above was from an "Appeal" written in late 1976; over 300 people signed the "Appeal."

The "Appeal" describes the harassment and persecution to which Germans in the U.S.S.R. have been subjected in past decades and the present. In particular, it mentions that in August 1976 German emigration activists, Viktor and Artur Klink, were re-arrested: Viktor, classified as handicapped, 2nd category, was sentenced to six months deprivation of freedom in a strict regimen camp; Artur, 69, was sentenced to three months deprivation of liberty. (Earlier, in 1973, Viktor Klink was sentenced to two years deprivation of freedom under Article 170-1 Kazakh SSR Criminal Code: "dissemination of knowingly false fabrications slandering the Soviet political and social system.")

On 3-5 September 1976, in the city of Alma Ata, the trial of German emigration activists, Lila Furman and Genrikh Reimer took place. The basis for the charges were appeals to the UN Human Rights Committee and the F.R.G. government asking for assistance in emigrating from the U.S.S.R. (In these appeals, intercepted by the KGB, there are statements that Germans are treated like second-class citizens in the U.S.S.R., etc. It is such statements which led to the criminal charges of "dissemination of knowingly false fabrications slandering the Soviet political and social system.")

"The presiding judge at the trial taunted dozens of Germans in attendace, saying: "Leave already, who is keeping you here?" On the same day, Colonel Sharapov, the head of the Alma

Ata city OVIR, tore up an emigration statement. He put the pieces of paper on the corner of his desk in full view of his visitors." (From the above-mentioned "Appeal.")

The concluding section of the "Appeal" states:

"All these trials have a specific goal -- to deprive citizens of German nationality who wish to emigrate to the F.R.G. of the opportunity to do so... We are convinced that only your intercession... We again ask you to send attorneys to defend our comrades and us, since we are not sure that we will not suffer the same fate... We appeal to you to raise this issue at the U.N. and also to bring this to the attention of the signatory states of the Helsinki Final Act..."

People who have long and in vain tried to realize -- by legal means -- their right to emigration, sometimes go to Moscow, to the All-Union OVIR (of the Soviet Ministry of Internal Affairs), to Presidium of the Supreme Soviet of the U.S.S.R.. and to the Central Committee of the U.S.S.R. Here they also receive neither a friendly welcome nor, even less, a favorable resolution of their cases.

Attempts to turn for involvement and assistance to the F.R.G. Embassy in Moscow do not meet with success.

Thus, for instance, residents of the Kirghiz SSR: Elizaveta Geidebrekht, born 1946; Roman Tserr, born 1942; Fyodor Mikhel, born 1932; Petr Girsh, born 1929; and G. Izaak, born 1942, have all been long and in vain seeking emigration permission. In February 1977, after their most recent unsuccessful appeal to high Soviet-political organs, they brought their statements to the Moscow Helsinki Group. Similar statements were received by the Group in February 1977 from Valdemar Kosto Suchkov, born 1932; Sina Adolfo Gasyunene, born 1941. They both live in Lithuania and have been seeking emigration permission for several years.

The Moscow Helsinki Group notes that the situation on emigration described in this document -- obstacles created for persons applying to emigrate from the U.S.S.R. to the F.R.G. and also the intimidation, and adminstrative and judicial persecution of these people -- is a clear and inadmissable violation of the humanitarian provisions of the Helsinki Final Act. It is also a violation of the Covenant on Civil and Political Rights which was ratified by the Soviet Union and which entered into legal force in the Soviet Union in March 1976. At the same time, the emigration laws which formally exist in the Soviet Union are also being violated.

The Moscow Helsinki Group would like to see the creation of an independent competent international commission to verify these publicized violations. The Group also asks that this issue be raised at the Belgrade Meeting on complicance by the Helsinki signatory states with their obligations

March 26, 1977

Moscow Helsinki Group:

Malva Landa
Yuri Mnyukh
Petr Grigorenko
Elena Bonner
Vladimir Slepak

Attachments (Not Included Here)

1. "Appeal", signed by over 300 Germans from Kirghizia and Kazakhstan, late 1976 (incomplete sections.)

2. Short synopsis of the statements of V. Suchkov and S. Gasyuene to the Moscow Helsinki Group, statement of E. Putins.

3. Copy of statements to the Moscow Helsinki Group from the Tserr, Mikhel, Girsh, Izaak, and Geidebrekht families.

4. A list of persons, who turned in their passports (recently, it was learned that several Germans who turned in their passports have been arrested: Abram Shultz, Yakov Peters, Ivan Toirer...)

MOSCOW GROUP DOCUMENT #23
AN UPDATE ON THE SITUATION OF THE PENTECOSTALS,
WRITTEN BY ARKADY POLISHCHUK
JUNE 28, 1977

The general characteristics of the Pentecostal situation in the USSR have already been described in Document #11, "On the Right to Emigrate for Religious Reasons" (issued by the Moscow Helsinki Group on Dec. 2, 1976), and in Lydia Voronina's account of her trip on behalf of the Moscow Helsinki Group to visit two Pentecostal communities. The facts and problems set forth in these two documents had not previously been investigated or made public by any Soviet or international commissions.

Since then, the emigration movement of the Pentecostals and the Baptists, who have joined them, has assumed a dimension which is unusual for the USSR. During 1977, on behalf of the Public Group, I had close communications with the representatives of numerous communities which have decided to leave the USSR. For a variety of reasons, the following account of this activity lacks complete documentation.

On June 26, 1977, Pentecostals and Baptists sent a fifth declaration to L. Brezhnev, President of the Presidium of the Supreme Soviet:

> If the spirit of Helsinki is not a deception, not a pitiful shred of paper, then issue a high level directive to all executive organs and departments not to torture us any longer. Let us go peacefully, by removing all barriers and hinderances to our departure from the country.

The number of believers who want to emigrate from the Soviet Union because of extreme difficulty and personal danger in practicing freely their religion is growing every day. The fourth declaration, issued at the end of May 1977, listed 1,800 people with these problems. By the time the fifth declaration emerged, the number of people listed had grown to 3,500. Many declarations, listing others involved, were also issued in May and June of 1977 from Nakhodka, Magadan, Vladivostok, Batumi, the Ukraine, Kirgizia and Lithuania. By July, 1977, there was as well a large increase in the number of Baptists in Lithuania and Estonia openly expressing their desire to emigrate.

A unique feature of the Pentecostal and Baptist struggle to emigrate from the USSR is their desire to leave as a group. They demand that believers be allowed to leave not as single families (as is the practice of the authorities with Germans, Jews, Armenians and other emigrant categories) but by entire groups, even entire church communities, defined geographically. This unique feature of their emigration movement is based on spiritual, social, historical and psychological reasons.

From June 2 until June 22, 1977, I visited the Krasnodar region, on behalf of the Moscow Helsinki Group, where I met many Pentecostals and Baptists. One is impressed with the steadfast determination of these people. This determination is dictated not only by inspired religious feelings, but also by 60 years of repression, insult and slander. In the 1960's every Pentecostal and Baptist was in danger of being sent to a labor camp. Today, though the number of believers in camps has declined, other forms of persecution have not decreased.

In every Pentecostal family I met, the children themselves had been subject to all kinds of oppression. Mothers and fathers with many children, tearfully told me about this treatment, whether from the Krasnodar region, (villages of Staro-Titorovskaya, Leningradskaya, Kholmskaya, Karer, the city of Kropotkin) or from Batumi, Sukhumi, Kabardin-Balkariya, Rovno, Nakhodka, Riga, and Valga. The children are insulted by their teachers and by other students. They are forced to join the Oktabryata, Pioneers, and the Komsomol (Communist youth organizations). If they refuse to join these atheist organizations then, for years afterwards they are given lowered grades. In sum, the children of believers are the victims of systematic educational discrimination, despite the fact that they are sometimes more diligent and eager to learn that their fellow students.

From their earliest days in school, each such student is marked by a written evaluation of his character which, like a life-long stamp, brands him as unreliable. I know the stories of hundreds of children and young people and yet I can name only one, Klavdia Pavlovich, of Vilnius in Lithuania, who managed to be admitted to the local university.

Additionally, I do not know of anyone who, after becoming a believer and had already received higher education, remained in their professional employment such as teacher or engineer. They were all required to "requalify" as workers—and as lowly paid ones, at that.

In her account of January 12, 1977, Lydia Voronina reported some abatement of repression in the city of Nakhodka. Actually, certain facts reveal the authorities' clumsy attempts to adapt to new circumstances which have arisen, partially because repression in Nakhodka has become known abroad. Events in 1977 show that the apparatus of repression has merely started to use more "hidden" punitive measures, such as provocation. Additionally, the KGB and other police have promised to stop discrimination, when in effect, they have not.

In the Primorsky region, where Nakhodka is located, the official "Committee to Defend the Rights of Believers" has begun to function. This committee includes an official named Kraevoi, who is in charge of matters relating to religious cults, school teachers and other persons who seek anonymity. Until now, these so-called "defenders" of believers have gone from house to house in Nakhodka and other cities of the Primorsky region, trying to talk people out of emigrating, and encouraging children to renounce their parents. In some instances people are promised assistance, The following are only a few of the various "legal" oppressions to which believers have been subjected in 1977:

Fines -- Fining is the most widely used form of oppression. Fines are directed against the lowest-paid citizens in concert with the mass discrimination against believers in the area of employment. These fines hit the largest Soviet families in which 8 to 10 children is not unusual. In this way, old people and babies are condemned to hunger and poverty. For example, in the course of a year the P.V. Syakov family, 1 Pervomaisky St., Inozemtsevo, Stavropolsky region, four times was fined 40 rubles, including three times for refusing to register as a religious group. In another case, the Gutsman family, 58 Krizhanovsky, Rovno, was fined 50 rubles. And the Ziyunya family, in addition to being fined 50 rubles, was subjected to dispersal of their prayer meeting, house searches without a warrant, and confiscation of their pre-revolutionary edition of the Bible. The case of A.V. Bondarshyuk, 78 Yuzhnaya St., Vinnitsa, is another example. Charged by the 102 Administrative Commission of the Starogorodsy Regional Executive Committee of violating the order of the PVC, USSR, of March 26, 1966, Bondarchyuk was fined 50 rubles on March 24, 1977. According to the authorities, "she gathered (believers) in her house and conducted a secret meeting of 35 believing Christians." In yet another instance, on June 9, 1977, those attending a prayer meeting in the city of Berdichev, including Ivan Bodyan and Vasily Melnik, and others, were fined 50 rubles each. Traditional fines and the noting of those who gather to pray as police and volunteers raided and dispersed their prayer meetings, were particularly evident in April, May and June, 1977, in Latvia, in the Krasnodar region, in Kabardino-Blakariya and the Ukraine.

Dispersals -- In May in the city of Artemovsk, Donetsk, the militia attempted to disperse and arrest the participants in a funeral. The believers were saved only by the poor organization of the attempt as the militia did not manage to get all the trucks to the cemetery in time. In May, near Kiev, a wedding in a prayer house was dispersed.

Deprivation of Parental Rights -- In the city of Gorlovka, Donetsk, the authorities threaten to take away the 14-year-old daughter of Olga Sidorchuk. This cruel type of persecution still remains in the authorities arsenal. The children of Vasily Kovalchuk from Krivoy Rog, of the Ukraine, were taken away from their parents and are held in a childrens' home.

Psychiatric Confinement -- For more than 2 years, engineer Mikhail Stepanovich Zverev, of the village Energetik, Zheleznovodsky region, Stavropolsky area, has been held in the psychiatric hospital in Chernyakhovsk, Kalingradskaya. He is completely healthy psychologically, having worked until the day of his arrest. He was committed because of his religious manuscripts which criticize the government for violating its own laws and for persecuting believers.

A Baptist, Anna Vasilievna Chertkova, born in 1927, is also in a psychiatric hospital as a result of her convictions (Tashkent 70084, Kalinsky region, Chukhursai 64 (Psychiatric Hospital, section #9). She wants only to emigrate from the USSR.

Punitive Conscription -- On June 23, 1977, the Peoples' Court of Glubokaky region, Chernovitskaya, sentenced 18-year-old Zagari Kiriyak, son of a Pentecostal preacher, to 2 1/2 years in camp. On May 15, 1977, the family had applied to emigrate from the USSR. Judge Ignatenko ignored this fact altogether and sent the youth to camp "for refusing to serve in the Army for religious reasons." (One should note that one year before this incident, Konstantin Pichuzh, of the same region, did not refuse to serve in the army, but, after five months of service, he was sentenced to three years in camp. RSFSR, Astrakhanskaya oblast, city of Kacharyak, p.ya. UD 249/7A.)

In May, 1977, 160 Pentecostals of the Rovenskaya region in the Ukraine refused to be inducted into the army. The Pentecostals ascribe this incident--unique in the dimensions of its resistance to the authorities--not only to religious reasons and the desire to emigrate, but also because numerous incidents of cruel treatment of believers in the army had become widely known. Often, army service turns out to be just like being in a camp. Several Ukrainian Pentecostals in the army died from beating and torture. No less unique has been the reaction of the authorities to this refusal en masse: none of these youths are yet facing criminal charges.

Criminal Prosecution -- The threat of criminal prosecution now hangs over a preacher, Nikolai Kunitsa, city of Dubno, Rovenskaya, Ukraine; over a Baptist, Grigory Petrenko, Riga; and over Boris Perchatkin, Nakhodka, an activist in the Pentecostal emigration struggle. Recently, KGB workers repeatedly urged people who attended the same church as Perchatkin, to give written testimony that allegedly he is conducting anti-Soviet agitation. Several times, unknown people have broken into his apartment, threatening reprisals against him, his wife, and children. Even his "tails" --usual for Pentecostals (whom I myself saw in the Krasnodar region)--are particularly rude towards Perchatkin. He is accosted, threatened with guns and his apartment is broken into at night.

Even on June 17, 1977--election day for the local Soviets--pressure on the Pentecostals did not cease. I saw in the village of Staro-Titovskaya how they were forced to "vote", although they had said earlier that they would not vote since they want to emigrate from the USSR. Not one of them went to the polling place, so the polling commission went around in a bus to all the Pentecostals' houses with the "ballot" box, using flattery, abuse, threats, requests and even swearing. However, this polling campaign was a complete fiasco.

Document #11 and its supplement describe the Pentecostals' situation in the USSR on facts which antedate the signing of the Helsinki agreement. Lydia Voronina's analytical account reveals the situation at the end of 1976. And today, on the eve of the Belgrade summit meeting, I can certify that the Helsinki agreement, since the day of its signing two years ago, has not alleviated the tragic fate of the Pentecostals and the Baptists.

To the Participants of the Belgrade Meeting on Security
and Cooperation in Europe:

Discrimination Against the Crimean Tatars Continues

Document No. 24

We have already raised the subject of the Soviet Union's non-compliance with the section of the Helsinki accords dealing with discrimination on the basis of nationality. Document No. 10, published in November, 1976, was devoted to this question and told of discrimination against the Crimean Tatars. Unfortunately, we are forced to turn to this subject once again as it has acquired particular urgency.

Stripped of their national territory, the Crimean Tatars are on the verge of national extinction. While laws forbidding other deported peoples to return to their homelands have been repealed, such laws are still in effect for the Crimean Tatars. While peoples like the Jews and Germans have been able to combat discrimination preventing their emigration to their original homelands, the Crimean Tatars have no such possibilities. Their homeland -- the Crimea -- is an official part of the Soviet Union.

In view of this, we request the heads of governments signatory to the Final Act of the Conference on Security and Cooperation in Europe to pay particular attention to this document and to adopt an appropriate resolution.

1. A Brief History

It is known that not long before the end of the war, the Soviet government deported a number of small nations from their homelands to sparsely populated areas where they were forced to live in special settlements under particularly harsh conditions. Among these peoples were the Crimean Tatars. As a result of the brutal treatment they suffered during deportation and in the first year of settlement, almost half (46.2%) of the Crimean Tatars perished. The Twentieth Congress of the Communist Party of the Soviet Union subsequently labeled the deportation and the conditions of the special settlements 'genocide'.

The Crimean Tatars describe their expulsion from the Crimea and the consequences of this action in one of their last letters to the Central Committee of the CPSU:

> "Everybody was expelled, right down to the families of soldiers, partisans and members of the underground who had been killed in action. Deprived of their providers, most of these families did not survive the first years. At the end of the war, and after the demobilization, others were placed under this official military supervision: soldiers and officers who had fought in the ranks of the Soviet army against the Fascist aggressors; Heroes of the Soviet Union and many honest Communists and non-Party members.

> Until the last days of the war, these people had helped to free the occupied territories, including the Crimea."

In each case, the government conducted the deportation strictly on the basis of nationality, without ever alerting the people of its decision.

The military action on May 18, 1944 against the Crimean Tatar people was explained as "a necessary measure" against "the most inveterate of enemies". At every station along the way, specially organized crowds jeered and threw rocks at the red railroad cars, packed with children, women, the elderly and the sick.

A similar reception awaited the Crimean Tatars at their final destination. According to a previously fixed plan, they were sent off to the remotest areas in backward provinces. Moreover, individual fitness for hard physical labor was never even taken into account.

This action dispossessed the Crimean Tatars of:

-- their homeland, where their forefathers had tamed the land and shaped a nation in the early centuries of the first millenium, A.D. In their native language, they named this land "Krym" (Crimea - ed.), and themselves, Crimean Tatars;

-- cultural monuments and artifacts fashioned over the centuries by talented Crimean Tatar craftsmen.

The Crimean Tatars no longer have:

-- primary and secondary schools with teaching in their native language -- guarantees for the existence and preservation of the Crimean Tatar language;

-- institutions of higher and middle education, special, professional and technical schools with native language instruction -- the breeding ground of a nationality's professional circles;

-- national theaters, ensembles and workshops;

-- newspapers, publishing houses, radio stations and other national organs and institutions (unions of writers, journalists, artists, etc.);

-- scientific research institutions and centers for the study of the Crimean Tatar language, literature, art and national culture.

Destroyed were Crimean Tatar:

-- cemeteries and the tombstones and inscriptions of the graves of their ancestors;

-- monuments and mausoleums to national historical figures.

The Crimean Tatars were stripped of:

-- national museums and libraries containing thousands of volumes in their native language;

-- clubs, reading rooms, houses of worship -- mosques and seminaries.

The history of the development of the Crimean Tatars as a nation has been falsified, and names of cities and villages, streets and neighborhoods, geographical locales, etc., have been changed. Folk legends and other forms of folk art created over centuries by the Crimean Tatars' ancestors have been adapted and claimed by other peoples.

As a result of these policies, which have undermined the national existence and development of the people, the honor of the entire Crimean Tatar nation has been soiled in the eyes of the Soviet people and the world.

After the Twentieth Party Congress, from the moment the USSR Supreme Soviet Decree of April 28, 1956 was made public, the Crimean Tatars began a petition campaign to regain their national equality. This decree eased the lives of the people in exile, since it repealed the requirements of special settlement and released them from administrative supervision. It did not, however, repeal their treason conviction or return their national rights. The removal of restrictions did not include the return of Crimean Tatar property confiscated during deportation, and did not accord them the right to return to the place from which they had been exiled.

Naturally, the decree did not satisfy the Crimean Tatars. They needed their homeland -- their territory, language and culture. Consequently, their petition campaign expanded to a mass scale. Letters to the Central Committee and the government initially were signed by dozens and hundreds, then by thousands and tens of thousands of people. One, demanding the repeal of all discriminatory legislation and the people's return to the Crimea, was signed by 126,000 people. In all, during the sixties, three million signatures were collected. In other words, each adult signed six or seven petitions.

Under the pressure of this mighty wave of public national protest in increasingly organized form, the government was forced to start maneuvering. Members of the Politburo met with Crimean Tatar representatives on three occasions, and promised to review and decide their case favorably. At the same time, repression against the campaign's organizers grew.

The turning point came after the third meeting between representatives of the Crimean Tatars and the Politburo. This meeting produced the USSR Supreme Soviet Decree of September 5, 1967, "On citizens of Tatar nationality, who resided in the Crimea". It would be hard to imagine a more hypocritical document.

On the one hand, groundless charges against the people were repealed, a move that could be taken as raising the rights of Crimean Tatars to the level of those enjoyed by other peoples and nations. On the other hand, despite the true wish of the people as reflected in their petitions, the decree maintained that the Crimean Tatars had "put down roots" in the areas where they had been exiled. This was a feeble attempt to mask the fact that the April 23, 1956 Supreme Soviet Decree which forbids return to the Crimea remains in effect.

Finally, this signifies an attempt to eliminate the Crimean Tatars from the ranks of nations. The decree calls them "citizens of Tatar nationality, who resided in the Crimea". There are no more Crimean Tatars. Formerly the sovereign rulers of the Crimea; they were subsumed into the Russian empire. There are, rather, citizens of Tatar nationality, who lived in the Crimea along with many other nations. Your homeland, Crimean Tatar, is not the Crimea, but the Tatar Autonomous Republic. It's hard to imagine a cruder historical distortion.

A nation that independently evolved over the course of many centuries, that developed its own rich culture, has only one thing in common with the Kazan and Volga Tatars -- the word "Tatar" in their names. But, suddenly this nation is declared non-existent, never-existing, and transformed into some variety of Tatar nationality. What people won't come up with to justify the exile of an entire people.

The overwhelming majority of the simple Crimean Tatars, however, did not notice this hypocrisy. The people were overjoyed that they were no longer "criminals", that they could now look working people of all nations boldly in the eye. And they assumed they could now freely return to their native land.

Two years following the decree, more than 20,000 Crimean Tatar families (nearly 100,000 people) returned to the Crimea, but they were met by policemen and troops. Some of them were deported to the places where they had "put down roots", that is, where they had lived in exile. The remainder were simply evicted from the Crimea, and settled on its fringes. A sobering sense of disillusionment, as well as a loss of determination overcame the people. Repression continued, and by 1970 the popular movement was crushed. The more active participants of the petition campaign ended up in prisons and camps. More than 300 Crimean Tatars were sentenced to various prison terms for their participation in the nationality movement, despite the fact that it was a loyal and peaceful one.

2. Soviet and International Law

What happened to the Crimean Tatars along with thirteen other small nations during 1943 and 1944 has been called genocide by the highest organ of the Party -- the Twentieth Congress of the CPSU. Moreover, the Soviet Union has ratified "The Convention on the Prevention and Punishment of the Crime of Genocide" which entered into force in the USSR on August 1, 1954. However, no one was ever punished in connection with the genocide of 1943-44. If the absence of such convictions is explained by the fact that the convention entered into force after the crime was committed, nothing can justify the fact that the laws that led to the genocide are still in effect.

The deportation of the Crimean Tatars was implemented on the basis of a May 8, 1944 order of the State Committee for Defense. Not only has this order not been repealed, but, on the contrary, it has been translated into law. On June 25, 1946, the Presidium of the RSFSR Supreme Soviet adopted a "Law on the Abolition of the Checheno-Ingushsky ASSR (Autonomous Soviet Socialist Republic - ed.) and the Transformation of the Crimean ASSR into the Crimean Oblast".

The Decree of the Presidium of the USSR Supreme Soviet of April 28, 1956, freed the Crimean Tatars and several other nationalities from the conditions of special settlement and released them from MVD (Ministry of Internal Affairs--Ed.) administrative supervision. At the same time, it left the previous genocidal laws in effect and even specifically stipulated that those affected were not to be reimbursed for property confiscated during deportation or to be allowed to return to the areas from which they were deported.

Lastly, the September 5, 1967 Decree of the Presidium of the USSR Supreme Soviet,"On citizens of Tatar nationality, who resided in the Crimea", insured, once and for all, that the genocide would be complete and took away the Crimean Tatars' right to consider themselves a nation. Under the elegant wording that seemed to repeal a groundless conviction and return the rights of a Soviet citizen, the decree actually stripped a people of their ancestral territory. (The ban on returning to the Crimea was not repealed, and in fact, guides local Crimean officials in their decisions not to register* Crimean Tatars.) The decree also stripped the Crimean Tatars of their language and culture and left them scattered over many Soviet republics. The authorities are obviously counting on assimilation to complete the national destruction, begun with the May 18, 1944 deportation decree.

This is the way the Soviet Union, despite its adoption of the "Convention on the Prevention and Punishment of the Crime of Genocide" continues to commit genocide vis-a-vis the Crimean Tatars. In doing so, the Soviet government relies on laws adopted before the convention's ratification, on the laws which originally sanctioned the genocide.

Soviet law and practice as regards the Crimean Tatars also contradicts the "International Convention on the Elimination of all Forms of Racial Discrimination", as well as the Final Act of the Conference on Security and Cooperation in Europe. Principle VIII of the "Declaration on Principles Guiding Relations Between Participating States" states:

> "By virtue of the principle of equal rights and self-determination of peoples, all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development."

The Crimean Tatars were forcibly removed from their territory and subjected to genocide. Considering that the ruling party once committed genocide against them, who should now be left to decide the fate of the Crimean Tatars, except they themselves? Nevertheless, their fate, as before, is decided on the basis of the same tyranny that reigned at the end of the war.

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*(Soviet law requires all citizens to register at their place of residence. Such registration is a prerequisite for housing, employment and access to social services--Ed.)

Soviet laws regarding the Crimean Tatars completely contradict the USSR's international commitments. In signing the Final Act, the Soviet government recognized that:

> "In exercising their sovereign rights, including the right to determine their laws and regulations, they will conform with their legal obligations under international law; they will furthermore pay due regard to and implement the provisions in the Final Act of the Conference on Security and Co-operation in Europe."

If the Soviet government wants to fulfill the commitments it has freely undertaken, it is obligated to help all the Crimean Tatars who wish to do so to return to the place from which they were exiled on May 18, 1944. It must also accord them the opportunity "...in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, social and cultural development."

3. The Destruction of the Nation Continues

Genocide is the destruction of a race, a tribe, or so the word is defined in the Great Soviet Encyclopaedia.

The Crimean Tatars' deportation from the Crimea to sparsely populated regions with unfamiliar climates cost them the lives of half their sons and daughters. Their dispersal over a large territory -- the Urals, Uzbekistan, Kazakhstan, Turkmenia, Kirghizia -- and among different nationalities; the loss of their native language schools, national culture, periodical press and other mass media has left the Crimean Tatars in a state of national humiliation. They are losing their sense of community with their linguistic and cultural brothers, their sense of belonging to a nation. The nation is dying.

This is not a natural, but a forced death. A nation is the people. Members of a nation experience a sense of their nationality from birth...

> "No man has not felt a profound feeling of love, of attachment, to the land of his fathers and grandfathers, to his native culture, language and traditions."

But the nation lives only as long as this feeling lives in the people.

The words in quotes belong to Leonid I. Brezhnev. Therefore, we may assume that our government understands the inadmissability of persecuting such feelings. And these are the feelings which rise up in the fight against conditions under which a people may perish as a nation. The artificially divided Crimean Tatars poured enmasse into the Crimea from all the corners of their exile after the Decree of 1967. Thrown out of the Crimea, they settled on its borders — in the Kherson and Zaporozh oblasts, in the Kuban and on the edge of the Caucasus. As a result, the scattering of the nation has increased. On the other hand, a staging area for resettlement in the Crimea has in effect been created.

The bolder, more stubborn and enterprising of the Crimean Tatars, those who fear no obstacles, have begun to make their way back into the Crimea. In accordance with the unchanged genocide laws, related instructions and spoken orders, the authorities have waged a decisive battle against this "disorderly conduct".

If one analyzes the situation in the Crimea in terms of arrests and convictions, things have improved. Presently, only Mustafa Dzhemilev* remains in captivity. According to a press statement by Enver Ametov, several dozen others are serving terms at correctional labor without loss of liberty, or in exile.

Nevertheless, extra-legal repressions against all those who attempt to settle in the Crimea have intensified immeasurably. Only a person of incredible tenacity and endurance can withstand all the blows of the authorities, can settle down and live in the land of his forefathers. Since the issuance of the decree "On citizens of Tatar nationality who resided in the Crimea", in ten years only 1,409 families (7,000 - 8,000 people) have been able to return and to register to live in their native land. How many years will it take for the entire nation to return, if today they number more than half a million? Six hundred and fifty families live without being registered and many of these have been trying to register for two or three years already.

For example, in the village of Pushkino, the Khallich family (seven children) and in the village of Vostochnoye, the Ablyakimov family (five children) have lived without official registration since 1974. Because she is not registered, Dilyara Khallich has spent that entire time without receiving the government allowance extended to women with many children. In retaliation for their petitions, complaints and protests, both families have had their electricity cut off. For a year, the Khallich children were not listed in the rosters of the school they nonetheless attended; then, they were not promoted to the next class.

The situation of unregistered families is horrible. First of all, they live with the constant threat of arbitrary persecution. How is this reflected? All those who are unregistered have bought houses. (Crimean Tatars cannot get housing by any other means; state and cooperative housing is not allowed them.) However, when an unregistered person buys a house, though he observes all the formalities and pays the full price, the house is still not his. The notary will not finalize the sale without proof of the buyer's registration, but in this case the buyer cannot get registered.

When a person is not registered, the threat of eviction constantly hangs over him. Day and night he waits for the band of drunken thugs led by the police or the authorities, who will throw children and old people, invalids and cripples out into the streets; who will smash and break property, and steal money and valuables.

These are not just isolated cases, but the rule. Following are instances of evictions that occurred in the space of just one month -- September, 1977. And these are just the instances we know about.

Sadovoye, Nizhnegorsk district - Nuri Mustafaev, together with his wife and two small children (ages three and one-and-a-half), was taken from the home he had bought into an open field in the Dzhansky district.

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* (See Moscow Helsinki Group Document No. 43--Ed.)

Semistoka, Leninsky district - Three families (Sh. Bekirov, A. Karaev and S. Khodzhametov) were evicted from the homes they had purchased. Two of the houses were sealed, the third given to the local drunk.

Runnoye, Saksky district - Two pensioners, Nuriye and Karime Kurseitov, and their brother, Rustem Khalilov, a disabled World War II veteran, were evicted from the home they had bought.

Molochnoye, Saksky district - Zera Mustafaeva and her ten-year-old daughter were evicted.

Mityaevo, Saksky district - World War II veteran Seitmemet Mametov and his family were thrown out of their house and taken to a forest.

Trudovoye, Saksky district - The family of Akhmet Ganaev was thrown out of their house.

Lesnovok, Saksky district - Seidamet Mametov bought a house which led to the instititution of criminal proceedings against him on the grounds of 'violating passport regulations'. (He is threatened with up to one year's loss of liberty.) A case stemming from violation of passport regulations has also been initiated against Nuretdin Useinov (Batalnoye, Leninsky district).

The intensification of repression in the Saksky district is connected with the presence of a new District Executive Committee Chairman. On his first day in office he announced: "In my district there won't be a single Crimean Tatar." This is one more proof of the utter tyranny facing the Crimean Tatars. Such an official will always find the Crimean Tatar guilty, and there is no one to stop him. If he isn't afraid to make such statements, it means he does so with his superiors' blessings.

Supplement No. 2 contains letters from people who have been evicted. These letters give a general picture of evictions, but it should be kept in mind that there have been worse cases. These evictions are illegal, but laws are not meant for the Crimean Tatars. When they complain to the Procurator, he says: "That's illegal. Lodge a complaint." The complaints, however, go to people like the Chairman of the Saksky District Executive Committee and go unanswered. There have been no cases where the goons who carry out these evictions have been punished, or where the victims have won suits for reimbursement for ruined and stolen property. Thus, the unregistered live in constant fear.

Secondly, the threat of hunger hangs constantly over the heads of the unregistered. Because they are not registered, they are not given jobs. Crimean Tatars are conscientious workers, a fact that has been noticed by Uzbek authorities who have gone, and are going, to great lengths to keep them in Uzbekistan. As a rule, they have several skills and are ready to work anywhere, but, despite the general labor shortage in the Crimea, are banned from work everywhere.

Most Crimean Tatars have large families. There are seldom less than three, and more often four to five, or even six to seven children in a family. They must be fed, but how? The best way has been to cultivate the land around the house, now no longer possible. The authorities, taking advantage of the fact that all land is state land, have confiscated the Crimean Tatars' garden plots. They say: "You have bought a house. Well, live in the house, but land is not for sale in the Soviet Union."

Another means of subsistence has been for Crimean Tatars to gather what is left in the fields after the harvest -- bits of grain, corn cobs, potatoes... In old Russia, this type of post-harvest scavenging (the local name is "chambalovka") was always encouraged and children trained to do it. This is no longer true. Harvested fields are quickly plowed over. If Crimean Tatars are noticed hurrying to scour the fields before the plowers, they are detained and fined many times over the cost of what they could possibly gather. As a result, this source of food has also disappeared.

Presently only one food source remains available for the Crimean Tatars: gathering wild plants -- flowers, herbs, thistles, wild berries, nuts, etc. Crimean Tatars utilize this source a great deal.

The one livelihood that is denied Crimean Tatars is productive labor at factories, collective and state farms. The injustice is that workers for the Crimea are being recruited all over the country. In the Crimea itself, signs at every step announce: Wanted...wanted...wanted, workers of every profession: engineers, economists... And those who are wanted walk past. They walk past because they won't be hired. They won't be hired because they're Crimean Tatars.

This is the situation of those who live in the Crimea, but who are not registered. Those who have not yet settled in the Crimea encounter greater difficulties. They must first of all buy a house -- no simple task. The authorities are conducting a campaign to discourage the population from selling to Crimean Tatars. They employ terror tactics: "Sell a Crimean Tatar a house and we'll take it away", or, "we won't issue a permit". At the same time, they're stirring up hatred against the Crimean Tatars, spreading slanderous lies about them. Even now, in spite of the decree, the authorities tell the people that the Crimean Tatars were traitors during the war. The situation has gotten to the point where signs of the following description can be seen: "For sale: a house in Belogorsk. Inquire after 5 p.m. at 2 Nizhnegorskaya Street, apartment 5. House will be sold to Russians only."

It is naturally difficult to obtain a house under these circumstances. But if one does manage to buy one, it is still too early to celebrate. The authorities will use every means to force the owner to cancel the transaction. They even go so far as to buy the house themselves, basing their actions on the law which gives collective or state farms preference in buying buildings located on their land. Moreover, the purchase is made at an official, i.e., lower, rate, and then the house is immediately torn down.

There is another injustice here: hundreds of houses built for collective and state farm workers recruited from other areas stand empty. Many found Crimean conditions intolerable and left. As a result, the houses stand empty for years. For example, in Krymsky Kumys in the Belogorsk district, more than fifty homes have been boarded up. Beside them walk people who are ready to pay for these houses, who are ready to work anywhere, at any job.

Let's say, however, a Crimean Tatar does manage to buy a house and he and his family become unregistered residents of the Crimea. At some point he will register, experiencing all the trials that face the unregistered. Before that, however, he has to get his household effects from Central Asia. This is also a problem. Strict orders have gone out in Central Asia: "Don't rent shipping containers to Crimean Tatars." And how does one tell a Crimean Tatar? So, they don't rent shipping containers for the Crimea. If, however, a container does manage to make it to the Crimea, it's impossible to get it from the train station. Container haulers are not rented to Crimean Tatars.

But suppose, you, a Crimean Tatar, have registered in the Crimea. Don't think that's the end of your troubles. First of all, you're discriminated against at work. To give only one example, Beshevin Nariman is a winner of the State Award for Construction. In Almalyk, Central Asia, he was a director in a construction enterprise, but since moving to the Crimea, he's been unable to get even a job as a foreman.

Secondly, you will have to deal with hostility from part of the population. Communists, members of the Komsomol (Communist youth group - ed.), as well as average citizens are prejudiced against Crimean Tatars through slanderous rumor campaigns. Hoodlums are literally incited to commit petty crimes against Crimean Tatars. No one will risk reporting a hoodlum to the police, however, for it can only result in criminal charges being brought against the Crimean Tatar himself.

One memorable incident occurred when two drunken hooligans stole three sheep from a Crimean Tatar. He and his two neighbors caught the thieves and took them to the police station. The result: the three Crimean Tatars were sentenced to several years in camp for "causing bodily injury" (to the thieves). The version of the incident whereby the Crimean Tatars attacked peaceful citizens was put together at the police station four days after the thieves had been turned in. There were no observers at the trial and the only witnesses were the two "victims" who testified against the three Crimean Tatars. The court believed the "victims".

So, the former masters of the Crimea today live without recourse against slander, unable to repulse hoodlums, without legal protection, and in constant fear of provocations. Their only defense is national solidarity.

This is especially true with regard to illegal evictions and destruction of homes. When Crimean Tatars from neighboring villages hear about plans to evict someone or to tear a house down, they rush to put up a concerted defense. It was this solidarity that forced the authorities to begin evicting people at night. The bands of thugs break into houses at night, and bind and gag the evictees so that their screams will not alert the neighbors. In such circumstances, the neighbors find out about the eviction only in the morning.

Crimean Tatars who have cars drive around the Crimea looking for people who have been evicted. When they find them, they return them to their home -- if the authorities have not had time to tear it down. If the house has been demolished, the Crimean Tatars erect tents on the spot. In general, the authorities are waging virtual war against the people.

The activists, the organizers of the fight against tyranny, are particularly hard hit. Currently, the threat against one of the long-time Crimean Tatar activists, Enver Ametov, is cause for concern.

In 1976, the authorities tore down a house Ametov had bought. He was forced to buy another. While he was absent, visiting his former residence in the Kherson oblast, his wife and small child were thrown out into the steppe. Upon his return, Ametov found his wife and child and again moved into his house. Soon after, in October, 1976, he was put on trial under Article 196 (violation of passport regulations) and sentenced to two years banishment. Ametov refused to carry out his sentence, first of all because he considered it illegal (its illegality was confirmed by the court itself, which refused, in violation of the law, to give Ametov a copy of the verdict). Secondly, Ametov felt that he could not leave his wife and two small children (ages three and one) without protection, particularly since his previous experience (the eviction of his wife) had given him sufficient grounds for concern.

Now, Enver Ametov is being threatened with a new trial, one which holds the possibility of not just banishment, but of a more serious punishment. This is especially true if you consider that he is constantly followed and threatened by the KGB. They see his guilt in his open and lawful fight against discrimination and the rightless condition of the Crimean Tatars; his bold and open declarations against tyranny...(An October 10, 1977 press statement by Ametov, attached as a supplement to this document is on file with the Commission - ed.)

Ametov is a skilled worker -- a tractor driver and a builder, but he has gone almost two years without a job, despite the fact that tractor drivers are needed in the village where he lives. Because he is a Crimean Tatar, he is discriminated against in work, and because he does not accept this, he is threatened with imprisonment.

It is impossible to consider the situation in the Crimea a normal state of affairs. The Crimean Tatars should be returned to the Crimea. Either under the direction of the state organs, or with the help of independent citizens' groups; through utilizing the network of worker recruitment organizations, or by letting those who wish to return to act for themselves; by some means, the people must be returned to the land of their forefathers.

The Soviet Union must implement its international obligations. Its internal affairs lie in deciding whether or not to undertake a particular international obligation. But once it has undertaken a commitment, that commitment's implementation is no longer just its affair. Not only may South Africa not drive the Namibians from their territory, but the Soviet Union also does not have the right to act in a similar fashion vis-a-vis the Crimean Tatars, or any other nation of the USSR.

We hope that the participants of the Belgrade meeting on Security and Cooperation in Europe will remind the Soviet Union of its international duty.

Supplements*

1. Decrees and directives of the Presidium of the Supreme Soviet of the USSR, relating to the deportation of the Crimean Tatars in 1943-44.

2. Letters from Crimean Tatars describing their arbitrary victimization at the hands of the authorities.

    a. Enver Ametov: Statement for the Press, October 10, 1977.

    b. K. Kurtseitova, N. Kurtseitova, R. Khalilov: Statement on Monstrous Reprisals Against Us in Our Native Land, September 23, 1977.

    c. Aishe Seitmuratova: Appeal to the Participants of the Belgrade Meeting.

    d. Z. Mustafaeva: Statement to the Procurator General of the USSR, Rudenko, September, 1977.

    e. M. Ablyakimov: Statement to the Chairman of the Central Committee of the CPSU, Brezhnev, summer, 1977.

    f. Dilyara Khallich: Statement to the Supreme Soviet of the USSR, summer, 1977.

November 4, 1977

Moscow Helsinki Group:

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-- Aleksandr Lavut assisted in the preparation of this document.

November 4, 1977

I would like to add my support to the Helsinki Group document on discrimination against the Crimean Tatars.

Every day the resolution of these problems is delayed, the instances of human tragedy, lawlessness and arbitrary persecution are infinitely multiplied. This is a disgrace to our country.

-- Andrei Sakharov

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* (The supplements are on record in the Commission's files--Ed.)

To the Heads of Signatory States of the Helsinki Final Act

Document No. 25

The Moscow Helsinki Group is concerned about the fate of 12-year old Mikhail Voikhansky, who has been separated from his mother, Marina Voikhanskaya, for over two years. In 1975, his mother emigrated from the Soviet Union to England. Misha's mother was not allowed to take her son with her, since the boy's father, her former husband Evgeny Voikhansky, kept their son in Leningrad until Marina could find work abroad.

As it turned out, this reason was merely a pretext. Although Marina Voikhanskaya has met all the conditions imposed by her former husband, the father still does not let their son leave. The boy lives permanently with his maternal grandmother; he has not lived with his father for even a single day. Mr. Voikhansky does not visit his son for months on end but, in order to create the impression that he is concerned about him, goes to Misha's teachers at school.

Witnesses are ready to confirm the fact that he does not love his son and that Misha's fate is a matter of complete indifference to him. The father's attitude to his son is clearly characterized in a letter he wrote to Voikhanskaya. In particular the letter states:

> "All three of us have brought up Misha (mother, father, and Misha's maternal grandmother). Now the best for him (author's stress) would be if you brought him up alone. But I need some time to see if you can do that by yourself. You can ... replace everyone for him. Even if you bring up a son with two people, one must then give up some things. I want to give Misha over to you, if only for egotistical reasons. I have no idea what I would do and how I would find someone to look after him if I would have custody of him. The main thing is that for ages I have been trying to lead an active life, but with Misha I would have to give up all of that."

What is the reason for the father's stubborn refusal to allow his son to live with his mother whom he loves so dearly? He himself explains his decision by saying that he does not want to risk his position (he works in a closed enterprise).* In response to Misha's grandmother's request that she be allowed to go to England with her grandson, the Deputy Head of OVIR told her directly that if Voikhansky allows his son even to visit his mother -- with whom he might want to stay permanently -- then he will have to answer for it. And the Secretary of the Party Organization of the place where Misha's father works told the grandmother "We will never allow the child to leave."

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* (a job requiring security clearance--Ed.)

It has become obvious that it is the Soviet authorities which are responsible for the present situation. References to the father are misleading, and used to hide one who is really to blame for this tragedy of a mother and a son who dreams of seeing his mother. And for the past year the child has been living with the threat of being separated even from his grandmother. The authorities are preparing a trial as a result of which the child can be taken away to an orphanage by force.

The Soviet authorities are taking their revenge on a brave woman by holding her little son hostage. Marina Voikhanskaya, a psychiatrist, is an activist in the human rights struggle in the Soviet Union. While still in the USSR, she protested against psychiatric repression of dissidents, and in the West, she has devoted all of her efforts to helping the victims of psychiatric repression. Materials collected by her, together with other evidence, convinced the psychiatrists at the Honolulu Congress to make an uncompromising stand, condemning the abuse of psychiatry for political purposes. Voikhanskaya is also the foreign representative of the "Working Commission to Investigate the Abuse of Psychiatry for Political Purposes."

Misha Voikhansky's appeal to the Soviet authorities and to Brezhnev remained unanswered; the 12-year-old child then turned for help from his mother's friends:

> "I beg you to help me go to my mama! She left in April 1975, after having gotten my father to promise that he will let me leave in August 1975, but he deceived us and still is doing so. I think he is a bad man. I hate him!
>
> Help me leave. I love my mommy so much! Where is justice if they don't allow a son to live with his mama!"
>
> (Mikhail Voikhansky)

Such is the cry of a child's soul!

Since we know all the facts about Misha's fate, we state with complete assurance: the forced separation of mother from child -- a tragedy that has been going on for years -- is a violation, for unworthy political ends, not only of the Helsinki Accords, but of all moral precepts.

We call upon representatives of governments which are participants in the Belgrade meeting, to defend this child and to help the Voikhansky family be reunited. This case is not the internal matter of the USSR, but is a violation of human rights, of the right of a child to be with his mother and cannot be the internal matter of any single country.

October 1977

Moscow Helsinki Group:

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To the Belgrade Conference

On the Pre-Trial Detention of Orlov, Ginzburg and Shcharansky

Document No. 27

KGB investigators in Moscow and in Kaluga have informed (orally) the relatives of the well-known arrested human rights activists and members of the Moscow Helsinki Group, Yuri Orlov, Aleksandr Ginzburg, and Anatoly Shcharansky, that by order of the Supreme Soviet the term of their pre-trial detention has been extended for another six months beyond the nine month period provided by law.

Aleksandr Ginzburg has been imprisoned awaiting trial for 10 months, 20 days; Yuri Orlov for 10 months, 13 days; and Anatoly Shcharansky for 9 months, 10 days.

Of course, these orders are unpublished and are not even read to relatives. As we know, the issuing of such "personal orders" on the extension of the period of pre-trial detention is now part of Soviet legal procedure. We think we should note the clear illegality, anti-constitutionality and inhumanity of these orders to extend the term of imprisonment for Orlov, Shcharansky and Ginzburg. Article 34, "The Foundation of Criminal Legal Procedure of the Soviet Union and the Union Republics" (approved by a session of the Supreme Soviet on December 25, 1958), established that "Detention under Guard during the Investigation of a Case"cannot continue more than 2 months. If a case is particularly complicated, this term may be extended to 3 months by the procurator of an autonomous republic, a krai, an oblast, an autonomous oblast, a national okrug; by a military procurator of a military okrug or a military fleet; and by a procurator of a Union republic or by the chief military procurator for 6 months from the first day of detention.

Further extensions of the term of detention under guard can be determined only in exceptional instances by the Soviet Procurator General for an additional term of not more than 3 months.

Therefore, if 9 months from the first day of his detention under guard have elapsed without the case having been transferred to court, the arrested should be released as soon as possible.

The expiration of the term set by law for detention under guard as a measure of suppression is directly cited in Article 18 of "Provisions for Pre-trial Detention under Guard" (Law of February 12, 1963) as justification for the rapid release of the arrested.

No other basis for extending the term of detention under guard of a prisoner under investigation is given in the Soviet Constitution nor in any current law of a Union Republic. Therefore, orders of a republic Presidium of the Supreme Court contradicting All-Union legislation are invalid. Moreover, these orders are anti-constitutional, since they are in direct contravention of Article 34 of the Soviet Constitution which declares that all Soviet citizens are equal under the law.

If all Soviet citizens were equal under the law, the detention for more than nine months under guard of an arrested person under investigation before transfer of his case to the court would be forbidden. The extension of this term (9 months) which has been established by law to another six months for Orlov, Shcharansky and Ginzburg, is an arbitrary and crude violation of human rights.

One cannot ignore the moral aspect of this issue, since such a long detention under guard in a KGB "investigation isolation cell" (in a prison of the closed type) is an act of inhumanity. Orlov, Ginzburg and Shcharansky are living in complete isolation from the rest of the world.

Articles 12 and 13 of the above-mentioned "Provisions for Pre-Trial Detention Under Guard" permit "meetings with relatives and other people" and "correspondence with relatives and other citizens." But, Shcharansky, Ginzburg and Orlov, in all the long months of their imprisonment, were never allowed to see their mothers and wives even for five minutes and were never given permission to write or receive even one letter.

These people, already immured in inaccessible stone walls for more than nine months,can only approach the investigators, procurators and prison guards. They are completely denied the right to defense, a right proclaimed in Article 158 of the Soviet Constitution and by Articles 13 and 22 of the "Basic Criminal Procedure in the Soviet Union and in the Union Republics."

It is terrible to think that they have not had one meeting with a defense lawyer during the nine to ten months of imprisonment; there are no lawyers who are permitted to represent them. Even Shcharansky, who has been charged with espionage under Article 64 of the Criminal Code of the RSFSR which carries a possible death sentence, is without counsel.

In this appeal, we deliberately do not treat the question of the legality of the arrest itself and detention under guard of Orlov, Shcharansky and Ginzburg -- their arrest is only an attempt by the Soviet authorities to suppress dissent and is a repressive measure against those who engage in the nonviolent struggle for the right of the individual to free thought and speech. The illegal extension of the term of pre-trial detention longer than the established nine months in effect turns a "preventive measure" into a method of punishment determined without trial imposed by the Presidium of the RSFSR Supreme Soviet, functioning as a punitive organ.

A government of law, especially a government which calls itself socialist, should not violate its own laws so crudely, and scoff at the rights of citizens -- even the rights of real criminals such as murderers and terrorists -- as is certainly not the case here.

We appeal to the participants of the Belgrade Conference to make a determined stand for the immediate release of Yuri Orlov, Aleksandr Ginzburg, and Anatoly Shcharansky.

December 25, 1977

Moscow Helsinki Group:

Sofya Kalistratova
Naum Meiman
Viktor Nekipelov
Tatyana Osipova
Vladimir Slepak

Document 28

On the Arrest of Petr Vins

On New Year's Eve, Petr Vins is on the 23rd day of his fast in the Darnitsky prison in Kiev. Petr Vins, 22, is a member of the Ukrainian Helsinki Group. He is the son of the spiritual leader of Soviet Baptists, Georgy Vins, who is imprisoned.

On December 8, Petr Vins was removed in Darnits from the Kiev-Moscow train and he was beaten. On December 9, he was sentenced to 15 days of imprisonment. We know Petr Vins to be a very delicate, quiet, self-controlled person. We are certain that he is the victim of an arranged provocation.

Petr's arrest on December 8 obviously was not accidental, since on December 10 in Moscow a demonstration was held to honor International Human Rights Day. In Moscow, many dissidents were placed under house arrest on December 10.

From the first day of his arrest, Petr Vins announced a hunger strike as a sign of protest. When 15 days had expired, Vins was not released. His term of imprisonment was extended for another 15 days because he "refused to go to work."

Petr Vins is in a difficult and dangerous situation -- he is not being given nutrients.

We demand the immediate release of Petr Vins -- we are talking about saving the health, or possibly saving the life, of a man who is still very young, noble and brave.

December 31, 1977

Moscow Helsinki Group

Elena Bonner
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Obstruction of Postal and Telephone Communications
(Document Number 30)

Back in May 1976, the Group to Promote Observance of the Helsinki Accords in the USSR informed world public opinion of the obstruction of international postal and telephone contacts (Document No. 2)*. Because the situation in this sphere has deteriorated since that time, we are forced to return to the problem once again.

Authorities in the USSR continue to violate international obligations and domestic law related to contacts between peoples and the free flow of information. In this document (as in Document No. 2), we will touch upon only a small range of problems, specifically, those involving postal, telegraph and telephone communications.

A significant number of messages sent to Soviet citizens from abroad, or by Soviet citizens to correspondents abroad via the post, telephone and telegraph, fail to reach their destination. Practice shows that letters -- the most informative manner of communication -- are the first to "disappear," a fact which leads us to believe that a certain number undergo inspection -- in flagrant violation of Article 56 of the Constitution of the USSR.

This practice is employed most widely toward the correspondence of dissenters: human rights activists, Jewish and German refuseniks, representatives of "unofficial religious groups" and so on.

We can cite a host of examples. For instance, when the Public Group to Promote Observance of the Helsinki Agreement in the USSR dispatched copies of its documents (by registered mail--Ed.) to embassies of participating states of the Helsinki Conference, it did not receive a single delivery receipt. In the USSR, correspondence mailed to and from foreign embassies qualifies as foreign correspondence and passes through the International Post Office in Moscow.

In Tbilisi, the Goldshtein brothers, Isai and Grigori, tried to bring action against the postal service for refusing to reimburse them -- in accordance with the International Postal Convention -- for dozens of undelivered letters. Action was denied; no explanations were given.

Since May, 1977, Evgeni Pashnin has petitioned unsuccessfully to the Vorkutsk Municipal Court for review of his case concerning the recovery of 108 rubles for 3 undelivered and allegedly lost letters to Israel and one to the U.S.

Nearly 5000 telegrams were dispatched from the U.S. alone during the hunger strike by Vladimir Slepak's family in April and May of 1975. The family received . . . one. More than 300 letters sent to Nijole Sadunaite were returned to their senders in England. Of the more than 1000 letters Amnesty International sent to Galina Salovaya, and the hundreds to Kronid Lyubarsky, not one was received.

Facts on undelivered invitations (vyzovs) from Israel deserve special notice. Many await vyzovs a year and more in spite of repeated mailings from relatives. Apart from undelivered letters, telegraph offices have been known to refuse telegrams.

A Christian Pentecostalist believer from Nakhodka in Primorski Krai informed us that he dispatched a telegram at the local post office to President Carter on December 20, 1977, with the following contents:

> We wish you a Merry Christmas. Glory to God in the Highest, peace on earth, good will to men. We wish you good health and success in your efforts in defense of Human Rights. We ask you and the American people to raise

your voices in prayer on Christmas Day for
those without freedom of religion.

The Church of Christian
Pentecostalists in the
city of Nakhodka.

On December 21, Perchatkin was summoned to the Post Office where a man introducing himself as a postal employee returned his money, stating that the telegram could not be accepted because it discredited the Soviet regime.

Authorities began their practice of disconnecting phones in May 1972, on the eve of President Nixon's first visit to the USSR. At that time, 12 activists in the struggle for the right of Jews to repatriation to Israel had their telephones disconnected. In response to inquiries, the authorities responded with "evasive" verbal explanations such as: "damaged cable", "defective power lines" and so on. On August 31 of the same year, the Soviet of Ministers of the USSR passed a resolution for an addendum to Article 74 of the Communications Code of the USSR in an attempt to give this practice a semblance of legality. The new paragraph prohibited "the use of telephones for purposes at variance with state interests and social order."

This resolution stands in glaring contradiction to Article 56 of the Constitution of the USSR, for how is it possible to determine whether a telephone is being used "for purposes at variance with state interests and social order" and still guarantee the privacy of telephone conversations? Moreover, this alteration of Article 74 of the Communications Code of the USSR is a direct and official admission of the practice of telephone monitoring in the Soviet Union.

Nor does the law specify which governmental agency holds the right to decide the question of whether a telephone conversation contravenes "state interests". Local Communications offices -- clearly incompetent to decide such questions -- disconnect the telephones. After the addendum to Article 74 of the Communications Code of the USSR, a literal "telephone hunt" began. One or two conversations with someone abroad and a mention of a violation of rights or of an illegal act by Soviet organs was enough to have a telephone disconnected. Telephones would also be disconnected in cases where someone from out of town discussed arbitrary acts committed by local authorities, even if the call was made within city limits. Recently, it has reached the point where telephones are disconnected not "for conversations" but on the basis of who owns the phone or who dials the number.

USSR-Moscow

Authorities do not even stop at disconnecting general-use phones in communal apartments. Inquiries produce the stereotypical verbal explanation (by telephone): "Your telephone has been disconnected in accordance with Article 74 of the Communications Code of the USSR."**

Written explanations of, or formal complaints against, such actions are impossible. For example, Irina Zholkovskaya-Ginzburg sent 10 letters to various agencies: the local telephone office, the Municipal Telephone Office, the Presidium of the Supreme Soviet of the USSR. All her letters, judging from delivery notices, reached their addresses, but she has not received a single response. All attempts to be granted judicial permission to contest such actions by the local telephone offices have been in vain -- the courts will not accept such cases for review.

In instances where an individual active in human rights, emigration or religious rights is summoned for a phone call to a public telephone station, the notification is usually delivered late -- after the appointed time of the call. If the notification is delivered in time, as a rule the call is not put through. The person placing the call is then informed that the party being called has not shown up. If the call is put through, the muffling signal is turned on after the first few "seditious" phrases. All of the above serves to illustrate the extent to which Soviet authorities obstruct the exchange of information with the West, the extent of their efforts to preserve the crumbling remains of the Iron Curtain by violating international agreements.

Soviet authorities also apply all their illegal, yet available, means to obstruct the flow of information on human rights violations in the provinces which is sent to the Public Groups to Promote Observance of the Helsinki Agreement, the local chapter of Amnesty International and to activists involved in the movement for Jewish repatriation to Israel.

We appeal to the participants of the Belgrade Conference to prevent this practice of strangling the free exchange of information from triumphing in the Soviet Union -- no matter how heatedly the Soviet delegation tries to argue that this is an "internal affair" of the Soviet Union which does not permit external interference.

**A list of 40 individuals in seven cities with disconnected telephones is in a Supplement held in CSCE Commission files.

USSR-Moscow

Supplements (held in CSCE Commission files):

1. A List of individuals with disconnected telephones;
2. Article 56 of the Constitution of the USSR; and
3. Resolution of the Soviet of Ministers of the USSR of August 31, 1972.

(Signed by Public Group members
Elena Bonner, Sofia Kalistratova,
Naum Meiman, Viktor Nekipelov,
Tatiana Osipova, and Vladimir
Slepak.)

An Appeal for Levko Lukyanenko

Document No. 31

Repressions continue against the members of the Groups to Promote Observance of the Helsinki Accords in the USSR. As has been already reported (by the Ukrainian Helsinki Group), a member of the Ukrainian Group, Levko Lukyanenko, was arrested in the City of Chernigov on December 12, 1977. This is the fifth member of the Ukrainian Helsinki Group to be arrested**; moreover, Mykola Rudenko and Oleksiy Tykhy have already been sentenced to unjustly cruel terms, while Matusevych and Marynovych have been held in pre-trial detention for many months. We remind you that in addition to repressions against the Ukrainian Helsinki Group, there have been similar actions taken against members of other Helsinki Groups formed in the USSR: A. Ginzburg, Yuri Orlov, A. Shcharansky, and M. Landa in Moscow; Z. Gamsakhurdia, M. Kostava, V. Pailodze, and V. Rtskhiladze in Georgia; and V. Petkus and B. Gajauskas* in Lithuania. Both P. Vins (Ukraine) and G. Goldshtein (Georgia)** have been held in detention for short periods. We're not even counting the searches, summonses for questioning, or deprivation of one's right to work in one's specialty.

These repressions undoubtedly bear witness to the fact that the authorities have planned to stifle and destroy the Soviet Helsinki Groups. Each member of these Groups lives under the constant threat of repression.

The tragic fate of Levko Lukyanenko evokes particular alarm. Lukyanenko is 50 years old, fifteen of which have been spent in prisons and camps.

After he completed his 15-year term of imprisonment in 1975, Lukyanenko was settled in the city of Chernigov. The less than two year period of his "free" life was spent under the open administrative surveillance of the militia, was accompanied by searches, interrogations, and the inspection of his personal correspondence.

Fifteen years of imprisonment have not made him indifferent to people; have not dampened his love for his country.

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* (B. Gajauskas, now in special regimen camp, has aksed to become a member of the Lithuanian Group--Ed.)

** (See section on 20 imprisoned members of the Soviet Helsinki Groups--Ed.)

In November 1976, Lukyanenko joined the Ukrainian Helsinki Group. And now -- a new arrest.

As always in political persecutions, the authorities do not provide any information about the specific charges against the arrested person. But it is known that Lukyanenko has not only not committed, but never even advocated any violent or illegal acts. Therefore, it is obvious that the reason for Lukyanenko's arrest is his activity in the Ukrainian Helsinki Group.

We, together with the members of the Ukrainian Group, are deeply concerned about the fate of Lukyanenko and we join in their statement that the Belgrade meeting cannot serve its purpose if members of the Helsinki Groups remain in prisons or camps. At the same time, we wish to stress that Lukyanenko's fate and his recent arrest are typical reprisals against people who have already served a sentence on political charges. After release, these people are almost always deprived of the opportunity to engage in public activities, to interact freely with other people, not to mention the fact that they are under open administrative surveillance.

When such people remain true to their own convictions, they are usually involved in new trials as "repeaters", they are seen as recidivists, and are sentenced with particular cruelty. The recent conviction of Oleksiy Tykhy is a typical example of such sentences.

In appealing for the defense of the lawyer, Levko Lukyanenko, we once again call for the defense of all the members of the Soviet Helsinki Groups who have been arrested earlier.

February 2, 1978
Moscow

Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Viktor Nekipelov
Naum Meiman
Tatyana Osipova
Vladimir Slepak

On Violations of the Right to a Free Choice of One's Country of Residence

Document No. 32

The right of choosing one's country of residence and of traveling abroad is one of the most frequently violated human rights in the USSR. Furthermore, the Soviet authorities do not consider it to be their obligation to specify to a person the reasons why he has been refused permission to emigrate or to travel.

We cite the case of Dr. Vera Livchak as an example of how the right of unrestricted travel is violated by Soviet authorities. On three occasions, Livchak has been denied permission to visit with her only child, a daughter, who has been living in Israel since 1971. The reason given for the first refusal of Livchak's request to travel was the absence of diplomatic relations between the USSR and Israel. To circumvent this obstacle, the second time Livchak applied to travel not to Israel but to Austria where she has a relative, the plan being that the daughter would journey there to meet her. This time the grounds of refusal were given as insufficient closeness of kinship with her relative in Austria. The third time Livchak filed documents to obtain permission for her daughter to come to Moscow for a visit. No reason was given for the third refusal. Unless Livchak applies to leave the country altogether which, for personal reasons, she does not want to do, the 74-year-old mother must abandon all hope of seeing her daughter again.

Documents, submitted to the visa office (OVIR) by Germans who want to emigrate from the USSR, often are not even accepted for consideration. Soviet officials claim that the vyzovs (invitations) sent them are from relatives who do not have a sufficiently close degree of kinship. Often, however, the authorities refuse such requests even when the vyzovs are sent by parents or siblings.

The most frequent reason given for refusing travel or emigration requests is so-called knowledge of state secrets. There is, however, no official time period after which one's knowledge of such secrets -- in the event that there is such knowledge -- is considered to have become obsolete. Furthermore, there is no official list of jobs and institutions for which one needs a security clearance. We refer to Academician A. Sakharov's letter to the American Federation of Scientists on Dr. Yu. Golfand and Dr. N. Meiman.

As a supplement to this document, we append a letter and lists of former students and teachers of the Moscow Institute of Physics and Technology attesting to the fact that many graduates of the Institute have received permission to emigrate from the country, while others -- Anatoly Shcharansky is one of them -- have been refused permission to do so on the grounds of "knowledge of state secrets". Since 1973, Shcharansky has been trying to obtain permission to emigrate. At present, he is being held on treason charges in an isolation cell at a KGB investigation prison. Two of Shcharansky's classmates, I. Sherman and L. Kogan, who both got permission to emigrate in 1974, are also listed.

A careful review of these lists gives the reader a clear idea of the ways in which the words "knowledge of secrets" can frequently decide a person's fate and that of his family, even though they may have absolutely no knowledge of government or military secrets.

P.S. We consider it essential that the present document of the Group be made known to Anatoly Shcharansky's lawyers, since the information it contains is directly relevant to his defense.

January 2, 1978

Moscow Helsinki Group:

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Sofya Kalistratova
Naum Meiman
Viktor Nekipelov
Tatyana Osipova
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Former Students and Faculty Members of the Moscow Institute of Physics and Technology Who Have Emigrated to the West

	Name	Home City	Year Graduated/ Department	Date of Submission of Emigration Application	Date of Departure from USSR	Destination	Remarks
1	SHERMAN, Igor	Lvov	1972 FOPF[1]	1974	2.5 months[2]	Canada	
2	KOGAN, Lev	Moscow	1972 Aeromekh	December 1972	October 1974	Israel	While in the USSR, Kogan was never employed in his field.
3	TRIFONOV, Eduard	Moscow	1961[3]	1975	1976	Israel	
4	NADEZHDIN, Aleksandr Danilovich	Donetsk	1972 FMKhF		1977	Canada	
5	ZAVELOVICH, Evsei Beniaminovich	Moscow	1972 FMKhF	3 months	October 4 1977	Canada	
6	GORBOV, Igor	Chernovtsy	1968	1971	1974	Israel	
7	MUCHNIK, Boris	Moscow	1970 FMKhF	1.5 months	1976	USA	

8	PERETSMAN, Leva	Mendeleevo, Moscow Province	1964[3] ?	...months[3]	1975	Israel	
9	PAMM, Dima	Moscow	1964	1972	1975[4] ?	Rehovot, Israel	
10	DAVYDOV, Vladimir	Moscow	1964[3] ? FRTK	1974	1975	USA	
11	GURVITS, Sergei	Moscow	1967 FOPF	1971 (1.5 Years)	1972	1969	Gurvits was expelled from graduate program by order of the authorities.

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[1] The full name of the departments and institutes are listed in the Attachment.

[2] i.e. After submission of his emigration application.

[3] As written in the original text.

[4] As written in the original text. Dima Pamm emigrated in February 1976.

Students and Faculty Members of the Moscow Institutute of Physics and Technology who have Been Refused Permission to Emigrate on Secrecy Grounds

	Name/Address	Year Graduated	Faculty	Institute	Date of Submission of Emigration Application	Nature of Work Prior to Submission of Application
1	PARGAMANIK, Efim Iosifovich Kiev-87 ul. Erevanskaya 13, kv. 32	1974	FMKhF[1]	IVTAN	1977	NIKTI--city planning Kiev, 1974-March 1977
2	GERTSBERG, Vladimir Leonidovich Kiev-112 ul. Parkhomenko 60a, kv. 41	1974	FMKhF	IPM	December, 1976	
3	TSYRULIN, Evgeny Ilich Moscow E-215 Sirenevy bulvar 37/40, kv. 67 tel. 464-85-56	1972	FMKhF	IKhF	January 1977	1) VNIPI--oil 1972-1974 2) NIOPIK 1974-1976
4	ULANOVSKY, Lev Efraimovich Moscow Obrucheva 3, korpus 1, kv. 64 tel. 432-07-63	1973	FOPF theoretical division	FIAN	1973	EhNIN/Krzhizhanovsky, ACU division
5	KHAIT, Mikhail Moscow Province 140 000 Lyubertsy Oktyabrsky prospekt 199, kv. 47	1970	FRTK	IPPI	March 1974	1) Odessa--programmer 2) Moscow--programmer

6	KALENOV, Yuri[2] Arkadevich Moscow ul. Kraxnoyarskaya 10, korpus 7, kv. 51 tel. 467-71-47	1967 undergraduate degree; 1970 graduate degree	FMkhF	IKhF	July 1974	IKhF 1970-1972
7	SHCHARANSKY, Anatoly Borisovich born 1948 Lefortovo Prison	1972	FUPM			Institute of Oil and gas
8	PEKKER, Mark[3] Ioelevich Leningrad ul. Repina 27, kv. 24	1971 (IAT)	FRTK	IPU	July 1975	Unskilled labor
9	FINKELSHTEIN, Eitan born 1942 Vilnius Liepas 10, kv. 10					
10	GUREVICH, Igor Moscow					

1/ The full name of the departments and institutes are listed in the Attachment.

2/ KONDRATEV signed a declaration attesting that KALENOV had no access to classified information.

3/ PEKKER, in reprisal for his underground writing activities, was expelled from MFTI a few days before he was to have finished his thesis.

Attachment

Departments of MFTI

FMKhF	Department of Molecular and Chemical Physics
FOPF	Department of General and Applied Physics
FRTK	Department of Radiotechnology and Cybernetics
FUPM	Department of Management and Applied Mathematics

Institutes

VNIPINeft	All Union Scientific Research and Planning Institute of Oil Refinery and the Petrochemical Industry
IAT	Institute of Automation and Telemechanics (name changed to IPU as of May 1970)
IVTAN	Institute of High-Temperature Physics, USSR Academy of Sciences
IPM	Institute of Applied Mathematics
IPPI	Institute of Problems of Information Transfer
IPU	Institute of Problems of Management (known as IAT until May 1970)
IKhF	Institute of Chemical Physics, USSR Academy of Sciences
MFTI	Moscow Institute of Physics and Technology
NIKTI gor. khoz	Institute of Scientific Research and Construction-Technology for Urban Planning, Ministry of Communal Planning of the Ukrainian SSR, Kiev
NIOPIK	Scientific Research Institute for Organic Semi-Prepared Foods and Colorings
FIAN	P.N. Lebedev Institute of Physics, USSR Academy of Sciences
EhNIN	Krzhizhanovsky Institute of Energetics, Division of Automatic Management Systems

In Defense of Aleksandr Zinoviev*

Document No. 33

Aleksandr Zinoviev is a Doctor of Science, a Professor of Philosophy specializing in mathematical logic, a member of the Finnish Academy of Sciences, and the author of many well-known scientific works.

In September 1976, his work of philosophical fiction, "The Yawning Heights", was published in Switzerland. This work became widely known abroad and already has been translated into a number of European languages. In December 1977 it was awarded a literary prize in Switzerland.

Soon after the appearance of this book, on January 19, 1977, Aleksandr Zinoviev was dismissed from his job as a Senior Scientific Worker in the Institute of Philosophy of the Soviet Academy of Sciences, and then was deprived of all his scientific degrees and honors (the decision of the Scientific Council of the Institute was upheld by VAK**).

A. Zinoviev, who served his country as a pilot during World War II, was stripped of his medals and decorations. Zinoviev was read the text of the order stripping him of his military honors, but they would not give him a copy of the order itself.

Zinoviev's telephone was shut off illegally; his mail is confiscated. Any possibility for contacts with foreign colleagues has been cut off. Zinoviev's friends and relatives are under systematic pressure so as to isolate him from those close to him. The militia and local council summon him to explain his "evasion of work activity".

The KGB summoned Zinoviev for questioning four times -- he came voluntarily three times, but once he was taken by force.

Aleksandr Zinoviev has received an invitation from Munich University to give a course on mathematical logic. On May 16, 1977, Zinoviev requested of OVIR that he be allowed to go to West Germany to read a series of lectures. On January 25, 1978, after eight months, he received an oral refusal, giving no reason for the decision.

Thus:

1. Aleksandr Zinoviev is persecuted, is deprived of work and the means of earning a livelihood, not for his actions but for his thoughts; for his independent, unregulated, undictated thoughts; and for his own personal philosophical view of things and events.

2. Aleksandr Zinoviev was not allowed to travel abroad for scientific work, thus violating the agreements on scientific contacts, although since he has worked in the areas of philosophy and mathematical logic, he has no knowledge of any government secrets.

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* (Professor Zinoviev was given permission to accept an invitation to teach at Munich University on July 18, 1978--Ed.)

** (VAK: All-Union Attestation Commission--Ed.)

A. Zinoviev is well known in the West. His tragic fate can only arouse the sympathy of all people of good will. But we must note that this violation of Zinoviev's rights is typical for the Soviet Union and many face similar persecutions.

February 1978
Moscow

Members of the Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Naum Meiman
Viktor Nekipelov
Tatyana Osipova
Vladimir Slepak

Statement on the Lengthy Illegal Detention of Professor Yuri Orlov in Prison

Document No. 34

On February 6, 1977, KGB Investigator Trofimov told Irina Valitova-Orlova, wife of Yuri Orlov, founder of the Moscow Helsinki Group, that on December 29, 1977 the charge against her husband was changed from Article 190-1, which carries a maximum sentence of three years, to Article 70 (anti-Soviet propaganda), for which one can be imprisoned for seven years plus five years of internal exile.

Bearing full responsibility for our claims, we state that Professor Orlov has not broken any Soviet laws, and that his arrest on February 10, 1977 and all further repressive measures taken against him have purely a political motivation -- namely to punish him for the creation and leadership of the Group to Promote Observance of the Helsinki Accords in the USSR. The activity of this Group is open and public in nature, and its frequently proclaimed goal is to promote the fulfillment of the humanitarian provisions of the Helsinki accords. This activity still continues as before the arrest of its leader, Yuri Orlov, and those of its active members, Aleksandr Ginzburg and Anatoly Shcharansky; the exile of member Malva Landa; and the emigration of member Lyudmila Alekseeva, and of Valentyn Turchin and Tatyana Khodorovich, who worked closely with the Group.

Laws and civilized norms were violated not by Yuri Orlov, but by the KGB investigators who are holding Yuri Orlov under harsh prison conditions for a year without allowing him any meetings with relatives and legal counsel.

We wish to draw the attention of international public opinion to the fact that all this is taking place 60 years after the Revolution with its proclaimed aim of creating a just social order, and after the adoption in 1977 of "the most democratic" -- according to the Soviet mass propaganda -- "Constitution in the world."

The investigatory authorities' characteristic inhumanity and indifference to a human fate is revealed by the fact that only 40 days after the switch had been made, did they inform Yuri Orlov's wife of the essential change in the nature of the charges against him.

We do not know the principles which guide the KGB in its game of malevolent patience by which some human rights activists are arrested, while others are forced to emigrate. We only affirm that its obvious aim -- namely to crush the human rights movement -- is unattainable.

The following facts attest to the growing cruelty of the persecution of human rights activists:

1. On February 7, 1977, Andrei Tverdokhlebov -- who had returned on January 21, 1977 after serving five years in prison and internal exile -- was sent to prison for ten days on a trumped up charge. Furthermore, he was treated very rudely and violently in the militia. Andrei Tverdokhlebov has been on a hunger strike since the morning of February 8.

2. A member of the Georgian Helsinki Group, Grigory Goldshtein, has been informed officially that a criminal case on charges of hooliganism is being prepared against him and that the trial will take place even if he manages to find work in the immediate future.

Moscow Helsinki Group:

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Statement to the Belgrade Conference

Document No. 35

We consider it essential to make the following statement about the threatened Soviet veto of the Concluding Document at the Belgrade Meeting on human rights and on evaluating fulfillment among the participating states of the Helsinki Accords:

1. At Helsinki, the Western countries made such substantive concessions as acknowledging the stability of the post-war boundaries and cooperating in the fields of technology and economics. These areas were of vital interest to the Soviet Union. The only concessions made by the Soviets were to include humanitarian articles in the Final Act and to agree to periodic meetings to review compliance with the Helsinki Accords.

2. The basic aim of such monitoring of compliance with the Helsinki Accords is in regard to the humanitarian sections of these Accords. This is because there is no threat to the stability of the borders. Questions of economic and technical cooperation are continuously examined in various types of bilateral and multilateral negotiations, while the problems of European arms limitation are examined in negotiations convened for that purpose in Vienna.

3. The veto which the Soviet delegation threatens deprives both the humanitarian sections of the Accords and the Belgrade Meeting of both purpose and substance. In effect, such a veto would mean a renunciation of the Helsinki Accords.

4. We wish to remind you of the warning in our Appeal to the Belgrade Conference (Document No. 26) that if the Soviet Union were to break up the Belgrade Conference on the pretext of interference in its internal affairs, this would be a great misfortune and one of long duration. Nevertheless, such a step would merely be a temporary impediment on the historically inevitable path of detente. However, it would be a far greater misfortune for the future of mankind -- a catastrophe with consequences hard to rectify -- if countries capitulate to the threat to break up the meeting.

February, 1978

Elena Bonner
Sofya Kalistratova
Naum Meiman
Viktor Nekipelov
Tatyana Osipova
Vladimir Slepak

Announcement on the Formation of an Association of Free Labor Unions in the Soviet Union

Document No. 36

Recently, in Moscow, there were several press conferences at which a group of laborers and engineering and technical workers from various cities announced that together they will strive to obtain their rights in the areas of occupational safety, work conditions, fair wages, and distribution of living space, and defense against illegal firings, especially for making critical remarks. Now this group has announced the formation of an Association of Free Labor Unions.

We are following its activities with great interest, and await the publication of a statement of the aims and tasks of this Association. We hope that the formation of a new labor union will have a significant effect on the development of civic awareness in our country. In this connection, the Helsinki Group wishes to remind Soviet and world public opinion that the creation of such a labor union is both just and based on law.

Article 225, Section XV of the Law Code on Labor of the RSFSR (Juridical Literature, Moscow, 1972), "The Right of Workers and Civil Servants to Unite in Labor Unions," proclaims:

> In accord with the Constitution of the Soviet Union, workers and civil servants have the right to unite in labor unions. Professional unions follow their own regulations and are not subject to registration with state institutions. Government organs, enterprises, institutions, and organizations must offer all kinds of assistance to professional labor unions and their activities. (This is a translation of the complete text of the article).

The Helsinki Group never had the intention -- and still does not -- of participating directly in the activities of various unofficial associations and groups in the country (religious communities of Pentecostals, Evangelical-Baptist Christians, Adventists, and others; Germans and Jews struggling for the right to emigrate; Crimean Tatars fighting to return to the Crimea; political prisoners trying to get decent treatment, medical service, normal diet and living conditions, etc.). The Group's task is to reveal violations of rights of citizens or groups, and to promote the realization of these rights in accordance with the provisions of the Final Act.

In this connection, the Helsinki Group relates to the newly organized Association of Free Labor Unions in the same way it does to the other groups mentioned above.

Furthermore, we believe that the aims and tasks of this Association derive from the Universal Declaration of Human Rights and from those pacts to which the Helsinki Final Act refers.

February 9, 1978
Moscow

Members of the Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Naum Meiman
Tatyana Osipova
Vladimir Slepak

Statement on the Need to Create a Free and Independent Association of Disabled Persons

To: The Presidium of the USSR Supreme Soviet;
The U.N. Human Rights Commission;
UNESCO: and
Norman Acton, Council of World Organizations Interested in the Handicapped

Document No. 37

In this appeal, the Moscow Helsinki Group would like to draw the attention of the Soviet Government and of international public opinion to the need to create in the USSR a free, independent association of paralyzed persons. Such an association would include those who have become, either totally or partially, incapacitated at work, through illness, or by childhood disease. It could, moreover, be modeled along the lines of the All-Union Society of the Blind or the All-Union Society of Deaf Mutes, both of which already exist in the Soviet Union.

Groups of activists (drawn from among the handicapped themselves) have made numerous attempts to obtain permission to form their own public association. They have, however, met with categorical refusal from the responsible authorities, who maintain that the Ministry of Social Services already provides everything these invalids need.

In fact, these people are poor and humiliated. They are helpless, in constant need of aid, but despairing of receiving even the most basic assistance. Their lives are a vicious cycle of alienation, loneliness, and a daily struggle for survival far below the poverty level.

The bureaucrats of the Ministry of Social Services either do not understand, or do not want to understand, how difficult it is for handicapped people to return to a full and normal life. They may also be unable to resolve this problem and, as a result, have themselves become obstacles to its solution.

In fact, handicapped people of the types mentioned above, are deprived in the USSR of the right to meaningful work, education, leisure, a good diet, medical treatment (medicine is too expensive for people living on disability pensions), a normal personal life, physical therapy, and participation in sporting events, particularly the International Olympic Games for the Handicapped.

Those with the most severe types of paralysis are, in effect, deprived of the right to independent movement. This contrasts with the situation in other developed countries (developed in both the technical and moral sense), where a whole series of mechanical devices and 'aids' are available. These devices enable the handicapped person to move about with a certain degree of self-sufficiency, both at home and on the street (by means of various types of motor and auto transport which the invalid himself can operate). In comparison with these world standards, Soviet orthopedics and bio-medical engineering are very underdeveloped.

The problem of transport is crucial. Wheelchairs are unreliable and of poor quality. The development of new models does not take into account the special problems of various types of paralysis. The price of care for the handicapped has been inflated by black market speculation, and people living on disability pensions cannot afford these technical aids (a special discount was abolished). The maintenance and repair of motorized wheelchairs and specially outfitted cars is difficult and expensive. Spare parts are in short supply. Gas is too expensive for people with such paltry pensions. Public transportation is so constructed that most handicapped people cannot use it.

The needs of the disabled are not taken into consideration when residential housing is constructed; existing structures are not remodeled and specially equipped homes and apartments for the disabled are not built. (A person in a wheelchair cannot, for example, get into the bathroom or toilet, cannot climb the stairs to the elevator, etc).

The situation would be different if there were a free public association of the handicapped, an association that would be linked with international organizations of disabled persons. The All-Union Society of the Blind and the All-Union Society of Deaf Mutes, with their education programs and network of special industrial enterprises, not only provide their members with an income, but help them to lead active, normal lives and preserve their self-respect. At the same time, these All-Union Societies make the work of the blind and deaf-and-dumb productive and profitable to the state.

The creation of an association of the handicapped would enable people who are lonely and helpless to join forces; it would help hundreds and thousands of disabled people leading bitter existences to return to full lives. This is a problem of enormous moral and ethical significance.

Linking such an association with international organizations of the handicapped would open up possibilities for cultural and technical exchanges which could help the disabled lead fuller lives. Exhibits of artificial limbs, technical aids and sports gear for the handicapped could be arranged; the association could participate in drafting international conventions on obligatory world standards for the physical rehabilitation and reintegration of the handicapped into daily life.

A refusal to permit the creation of this association would contradict the Declaration of Human Rights and the Soviet Constitution.

At the same time, we call on handicapped people not to accept their humiliating situation and not to wait for outside help. Rather, they should organize, on their own initiative, mutual-aid societies which could serve as the nucleus for a free public association of disabled persons in the future.

February 23, 1978

Moscow Helsinki Group:

Petr Grigorenko
Sofya Kalistratova
Malva Landa
Vladimir Slepak
Naum Meiman
Tatyana Osipova

On the Right to a Fair Pension

Document No. 38

In Article 22 of the Universal Declaration of Human Rights it is stated: "Everyone, as a member of Society, has the right to social security."

Article 8 of the Convention on Economic, Social, and Cultural Rights establishes "the right of everyone to social security, including social insurance."

Article 43 of the Soviet Constitution loudly proclaims the right of citizens to material security in old age, in the event of illness, disability, or loss of a breadwinner.

In the present document we shall -- without giving a complete analysis of the social security system in the USSR -- restrict ourselves to only two of the most important questions: (1) the dependence of the right to a pension on the length of employment and (2) the size of the pension.

1. The basic form of social security for old age and disability is the social insurance pension. Blue and white collar workers do not pay insurance contributions: pensions are considered to be paid at government expense. To all intents and purposes, however, the resources for social insurance are drawn from a certain percentage of the wage fund contributed by enterprises and institutions. An article by Professor of Economics, L. Blyakhman (Molodoi kommunist, No. 6, 1968), includes the following calculation: from each ruble of value created by a worker, fifty-five kopecks is paid out to him in the form of wages, and forty-five kopecks goes towards public consumption funds.

Under such a system of social insurance, many categories of workers have no right to pension security:

a. Years of work in places of imprisonment (i.e. prison labor) do not count towards length of service for purposes of entitlement to a pension.

In the case of long prison sentences imposed by the criminal courts there are tens -- if not hundreds -- of thousands of people who on their release from prison receive no pension because of "the lack of the required period of employment," even though they have labored for many years under harsh conditions of imprisonment. (The number of prisoners is great: indirect statistics indicate that prisoners make up no less than one percent of the whole population).

b. Handicraftsmen who work all their life creating material values but who do not belong to the categories of blue and white collar workers have no right to a pension.

c. Those who are disabled since childhood do not receive social insurance pensions (on allowances for them, see the following section).

d. Pensions are not granted to former kolkhozniks who ceased to work on the kolkhoz before passage of the law on pensions for kolkhozniks (in 1964) and who have become old or disabled without having worked for the required period of time as blue or white collar workers.

e. Many persons do not receive a pension because, for one reason or another, they do not have the possibility of proving by strictly official (legal) means that they have met the length-of-service requirement.

f. Finally, old or disabled persons who, for one reason or another, do not have the length of service required by law do not receive a pension either. There are certain cases established by law where so-called proportional old-age pensions (when length of service is incomplete) may be granted, but this depends on a number of conditions -- e.g. that the pension age is reached while working for hire, etc. These "incomplete" pensions are, as a rule, extremely low.

The strict secrecy that surrounds statistics prevents us from ascertaining the number of people who do not receive a social insurance pension, but there can be no doubt that this is a real problem for a considerable number of citizens in the USSR.

2. According to information from the Scientific Research Institute for Labor, the subsistence wage in the USSR amounts to fifty rubles per person per month. This is confirmed by a decree of the Council of Ministers dated September 9, 1974, on the allocation of allowances for children up to the age of eight in needy (maloobesrechennye) families where the total per capita income of the family does not exceed fifty rubles. This allowance, incidentally, amounts to twelve rubles per month per one child and is paid up only till the age of eight.

Without doubt, this "subsistence" wage means living on the brink of poverty.

The size of the lowest pensions fixed by law is below even this level of poverty.

The lowest old-age pension is forty-five rubles a month, which means that proportional (that is, without complete length of service) pensions must be considerably lower.

The minimum pension for invalids of group II is forty-five rubles a month and of group III twenty-one rubles a month. (In the case of disability resulting from an injury on the job or from an occupational disease, the pension is somewhat higher).

The minimum pension for disabled members of a family without a breadwinner is twenty-three rubles a month for one member, forty-five rubles a month for two members, and seventy rubles a month for three or more family members.

If the deceased breadwinner of a family did not complete the required length of service, then the minimum pension for one member of the family is five rubles a month, for two members eleven rubles a month, and for three or more members seventeen rubles a month.

The law on pensions for kolkhozniks passed in 1964 provides minimum pensions of sixteen to thirty-five rubles a month when a certain period of employment on a kolkhoz has been completed (depending on the degree of disability and other conditions).

3. Legislation for the republics has established the payment of monthly allowances to certain groups of disabled citizens who have no right to a social insurance pension.

The conditions under which these allowances are paid, however, severely limit the number of people who receive them, and the value of the pensions (from eight to sixteen rubles a month) is insignificant.

4. Another kind of "social security" established by law needs to be mentioned here -- i.e. child allowances for unmarried mothers -- not entitled to alimony because the identity of the father has not been legally determined.

State allowances are paid out to unmarried mothers in the following sums: five rubles a month for one child (the cost of fifteen liters of milk), seven rubles and fifty kopecks a month for two children, and ten rubles a month for three children or more.

This brief and far from complete review of some important problems of social security in the USSR testifies to the existence of a considerable number of disabled Soviet citizens who do not receive any pension or allowance, and a still larger number of old, disabled people and children who receive such paltry pensions and allowances that they do not have the means of subsistence even by Soviet standards.

Since economic rights -- among which is the right of the invalid, the old-aged, and the disabled members of families (including children) -- to an adequate standard of living are an essential element of civil rights, the Public Group to Promote Implementation of the Helsinki Agreement in the USSR wants to draw attention to all states that have signed the Helsinki Agreement to the massive violations -- sanctioned under the existing laws -- of the rights of Soviet citizens unable to work.

February 23, 1978

Moscow Helsinki Group:

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On the Belgrade Conference

Document No. 39

The Belgrade Meeting is over. The Concluding Document does not reflect the five month-long discussions on various aspects of observance of the Helsinki Act, and in particular, those on fulfillment of its humanitarian provisions. The Concluding Document does not refer to human rights. In general, it represents a step backwards from the Final Act itself which affirmed the unbreakable link between the observance of human rights, security and cooperation.

All provisions of any international agreement are mandatory for all its signatory states. Therefore, the Soviet assertion that discussion of Soviet implementation of the humanitarian provisions of the Helsinki Accords constitutes interference in its internal affairs contradicts the Final Act and confirms Soviet violations of its obligations. The arrest of 18 members of the Public Groups to Promote Observance of the Helsinki Accords in the USSR provides abundant evidence of these violations.

In Belgrade, there were many months of discussion of the human rights issue. In response to Western accusations of Soviet non-fulfillment of the humanitarian provisions of the Accords, the Soviet delegation attempted to counter the problem of human rights with that of social and economic rights. In reality, individual rights are intimately tied to social and economic rights and it is impossible to set one off against the other. Without guaranteed rights for the individual, one cannot successfully defend social and economic rights. This is proof of the real state of affairs in the Soviet Union where social and economic rights are less secure than in any developed democratic country. Wages, for example, are lower than unemployment compensation in the Federal Republic of Germany and the situation of pensions (See Document No. 37) for entire categories of citizens is simply shameful. In the USSR, there also exists hidden unemployment, aggravated by difficulties of resettlement inside the country, by the lack of official statistical information, and also by the lack of unemployment compensation.

We see a potential danger in the Concluding Document in that the terms of the Madrid Meeting in 1980 will be partially set by the present Concluding Document which makes no mention of human rights.

The prevailing situation after the Belgrade Meeting makes the activity of the Public Groups to Promote Observance of the Helsinki Accords in the USSR even more essential and urgent. The legality of this activity is a logical consequence of the fact that the Soviet Union is one of the signatories of the Final Act and that the USSR has ratified all the International Pacts enumerated in Principle VII of the Final Act.

March 14, 1978

Moscow Helsinki Group:

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On the Case of Anatoly Shcharansky

Document No. 40

On March 15, it will be one year that Anatoly Shcharansky has been held in strict confinement, deprived of the opportunity to see or correspond with members of his family. Soviet law provides for a pre-trial confinement of up to nine months. The fact that we cite this law in no way means that we support it, or its practice, in any degree. The harsh nine-month term of confinement has no justification, and actually constitutes a presumption of the guilt of the accused. The length of this term, we can say from experience, sharply contrasts with the lightning speed with which the trial itself is conducted.

Anatoly Shcharansky was arrested after the publication of slanderous articles in the Soviet press. The same was true in the case of his Helsinki Group friends, Yuri Orlov and Aleksandr Ginzburg, arrested the month before. Shcharansky stands charged with treason under Article 64 of the RSFSR Criminal Code, an article that provides for a maximum penalty of death. We categorically dismiss as hypocritical and slanderous the charge that Shcharansky was involved in any espionage activities. He particularly irritated the authorities as a leader, not only of the Jewish repatriation movement, but also of the human rights campaign. His arrest and the charges against him are based on purely political motives.

The trial of Anatoly Shcharansky for treason will evoke memories of the Dreyfus case, a treason trial in France at the end of the 19th century, and the Doctors' Trials during the last months of the Stalin regime. Broad circles of democratic people in all countries understand very well that Anatoly Shcharansky is being tried for his civic activities.

March 15, 1978

Moscow Helsinki Group:

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Vladimir Slepak

On the Revocation of P.G. Grigorenko's Soviet Citizenship

Document No. 41

According to a Decree of the Presidium of the Supreme Soviet issued on February 13, 1977 (and signed by Presidium Chairman Brezhnev and Secretary Georgadze), Petr Grigoryevich Grigorenko was stripped of his Soviet citizenship. In November 1977, Grigorenko received permission for a six month trip to the United States for medical treatment and to visit his son. This permission corresponded to the letter and spirit of the Helsinki Final Act.

In his own country and abroad, Grigorenko is well-known as a courageous and steadfast individual, one who gave his strength and health to the human rights struggle in the USSR, who campaigned against the personality cult, against the continued exile of the Crimean Tatars from the Crimea and against the use of psychiatry for repressive ends. Grigorenko paid a heavy and unjust price for his courage and steadfastness, years of incarceration in psychiatric prisons, deprived of his freedom. Throughout his life, Grigorenko has followed the arduous path of a toiler and heroic soldier. He defended the Soviet Union in two wars, rose to the rank of Major General, and was decorated with five military orders and several other medals. All those who met Grigorenko came under the spell of his personality: his active kindness and sympathetic nature, his open-mindedness and tolerance. Grigorenko's public activity was always open and legal, and founded on the laws and Constitution of the USSR. In the last few years, Grigorenko worked actively with the Moscow and Ukrainian Public Groups to Promote Observance of the Helsinki Accords in the USSR, and was a founding member of both.

The Supreme Soviet decree states that Grigorenko was stripped of his citizenship for systematically engaging in activities detrimental to the prestige of the USSR. Grigorenko, however, did not participate in any public activities while he was in the United States. Therefore, the Supreme Soviet considers Grigorenko's life and work in the USSR to have been detrimental to the prestige of the Soviet Union.

In sending this document to the heads of signatory states of the Helsinki Accords, the Moscow Helsinki Group asks them to assist in Grigorenko's efforts to return to the USSR and, in an open court, to prove that all his public work was to foster the prestige of his country and people, in defense of human rights and of the international agreements and covenants signed by the leaders of the USSR and ratified by the Soviet government.

March 15, 1978

Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Naum Meiman
Tatyana Osipova
Vladimir Slepak

On the Revocation of M. Rostropovich and G. Vishnevskaya's Soviet Citizenship

Document No. 42

For the reasons outlined below, the Moscow Group to Promote Observance of the Helsinki Accords in the USSR protests the revocation of Mstislav Rostropovich's and Galina Vishnevskaya's Soviet citizenship and of their right to return to their native land.

1. The deprivation of Rostropovich's and Vishnevskaya's citizenship violates the international obligations of the Soviet government, specifically, the International Covenant on Civil and Political Rights, the Universal Declaration of Human Rights and the Helsinki Accords.

2. The foremost cellist of our times, Mstislav Rostropovich, and the well-known singer, Galina Vishnevskaya, have through their artistic work, inspired the sympathy and respect of millions of people around the world. Admiration for an artist's talent and the gratitude of his listeners inevitably reflects well on his country, thereby raising its prestige. No government has the right to be the sole custodian of its own prestige or that of the country it governs.

March 18, 1978

Moscow Helsinki Group:

Elena Bonner
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Vladimir Slepak
Tatyana Osipova

Discrimination Against the Crimean Tatars and Mustafa Dzhemilev

Document No. 43

Mustafa Dzhemilev was still an infant in 1944 when Stalin promulgated the inhuman order to expel hundreds of thousands of Crimean Tatars (mostly old people, women and children) from their ancestral lands, and to deport them to the "special resettlement zone" in the Urals or Uzbekistan.

The repressions against those Crimean Tatars who have struggled to return to the Crimea are widely known. We have written frequently about the tragic fate of the Crimean Tatar people in appeals to the Soviet government, to the heads of signatory states to the Helsinki Accords, and to world public opinion (See Document Nos. 10 and 24).

Dzhemilev, an activist in the struggle for the right of the Crimean Tatars to return to their native lands, has been sentenced to imprisonment several times. In total, he has spent more than eight years in places of imprisonment. He was charged with slandering the Soviet government and social system. The court found that Dzhemilev's demands for the solution of the so-called "fabricated Crimean Tatar problem" and his claims about the infringement of the Crimean Tatars' rights were attempts to undermine the Soviet system. His last conviction was on completely trumped up charges, in violation of the provisions of the Final Act. The Moscow Helsinki Group discussed this trial in its first document.

Having served his term, Dzhemilev was released on December 22, 1977 and, although his sentence did not call for either exile or banishment, he has since been forced to live in his brother's apartment in Tashkent. He lives under conditions of administrative surveillance. Dzhemilev's request to be allowed to move to the Crimea, where his parents and sister presently live (they moved to the Crimea in 1977), is refused.

The authorities continue to persecute Mustafa Dzhemilev and may be preparing to arrest him again. In January, a violation of his administrative surveillance was fabricated. In March, the militia warned Dzhemilev that he was liable for prosecution on charges of "parasitism". They demanded that he find work immediately, although his health has been severely undermined by many years of imprisonment and by many months of hunger strikes in protest against the falsified charges brought against him.

We have received the text of an official document sent to the camp where Dzhemilev was held, in response to an inquiry on the possibility of sending Dzhemilev to the Crimea upon his release.

The complete text follows:

October 28, 1977

692710 RSFSR
Primorsky Krai
Khasansky rayon
Institution VP 267-26

To the Head of the Institution:

re: V/I 30/26-5210-A; of 10/3/77

The parents of convict Dzhemilev, Mustafa, live on the territory of the Belogorodsky rayon, in blatant violation of the passport regimen and without a residence permit. Since they are specially resettled people, their access to residence permission in the Crimea is restricted. In connection with the above-mentioned facts, it would not be appropriate to send Dzhemilev, M., to the Crimea, since he will be refused a residence permit there.

Chairman of the Oversight Commission
under the Executive Committee of the
Belgorod Regional Council of Peoples'
Deputies,

Lieutenant Colonel

(Signature)
Tsapenko

Office 267/26
Issue No. 3532 2/9/77

* * * * * * * * *

In this way, a government representative in the Crimean oblast has confirmed, in an official document, the existence of restricted rights for Crimean Tatars on the basis of their national origin.

However, when Dzhemilev, or other participants of the Crimean Tatar movement, have spoken or written about this national discrimination, the courts have called it "slanderous to the Soviet system".

The document quoted above shows that, along with the Constitution and the Order of September 5, 1967 on the rehabilitation of Crimean Tatars, there are secret "instructions" under which the Crimean Tatars have restricted rights and are still considered "specially resettled people."

This fact was confirmed further by Lieutenant B. Atashkulov, a worker in the Preventive Division of the Administration of Internal Affairs, who is in charge of the administrative surveillance of Mustafa Dzhemilev. In a talk with M. Dzhemilev and T. Osipova (a member of the Moscow Helsinki Group) in his office on March 24, 1978, he said that Dzhemilev is forbidden to live in the Crimea, since he is a "specially resettled person."

Dzhemilev's tragic fate must touch all people of good will.

Once again, we call the attention of public opinion and of the governments which signed the Helsinki Accords to the fact that the persecution of Mustafa Dzhemilev is an inextricable part of discrimination against 500,000 Crimean Tatars who are illegally deprived of their right to live in their native land.

April 6, 1978

Moscow Helsinki Group:

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Appended to this document are two supplements, which are on file with the Commission.

Supplement No. 1: A letter from Mustafa Dzhemilev to the Chairman of the Oversight Commission under the Executive Committee of the Belgorod Regional Council of Peoples' Deputies, Lieutenant Colonel Tsapenko.

Supplement No. 2: An appeal to the Procurator General of the Soviet Union from Mustafa Dzhemilev.

Persecution of Adventists

Document No. 45

As a Helsinki Final Act signatory, the Soviet government pledged to:

> "respect... human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief" and "within this framework... (to) recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience."

Its pledge notwithstanding, the Soviet government has not only continued but lately intensified its persecution of believers. Evidence of this can be found in the completely arbitrary arrests, searches, and other repressive measures taken against members of the All-Union Church of True and Free Adventists of the Seventh Day.

In Tashkent, V.A. Shelkov, the 83-year-old chairman of the Adventist Church, was arrested on March 14, 1978. Shelkov's religious activities have always been performed under conditions of constant repression. Shelkov has already spent 23 years in prison, exile, and camp. By decision of a special Board of the OGPU* and without benefit of trial, Shelkov was sent into exile in the northern Urals on a forced labor detail from 1931-1934; in 1945 he was arrested and sentenced to be shot but the sentence was subsequently commuted to 10 years of strict regimen camp. Under threat of a new arrest since 1969, Shelkov has been forced to take up illegal residence. He was editor of the underground press, "The True Witness", which the authorities actively repressed and has authored a series of books and articles on freedom of conscience and religious belief.

The authorities conducted a four-day long house search at the home of Shelkov's daughter (Uzbekistan, Tashkent #56, Soyuznaya St.) where the arrest took place. Photographs made available to the Group, information from eye-witnesses, and the personal impressions of Helsinki Group member, Tatyana Osipova, who visited the house after the search, all show that the house was totally ransacked: floors, walls, and ceilings were torn out; chimneys were destroyed; matresses, pillows, and upholstery were ripped open; things were thrown in heaps all over the place; holes about two meters deep were dug in the yard and under the floors; the asphalt in the yard was upturned; and even the toilet pits were searched. The material loss caused by the search is irreplaceable. The police confiscated religious literature, tapes of sermons, psalms, and recordings of western radio broadcasts; written complaints, protests, statements on human rights violations; and personal savings. During the search, someone rang the doorbell. On hearing the bell, six policemen ran out of the apartment and when the caller tried to hide, they shot at him with pistols.

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* (People's Commissariat of Internal Affairs, predecessor of the KGB--Ed.)

In addition to V.A. Shelkov, Ilya Sergeevich Lepshin, the owner of the house and a very ill man, was also arrested.

The police conducted a similar search on March 14 and 15, 1978, at the house of Sergei Ivanovich Maslov (Tashkent, #8 Elektrotekhnicheskaya St.). They gained entrance by breaking down the front door. Maslov, a World War II invalid, was arrested, as was Arnold Albertovich Spalin, who happened to be in the house. Elena Gerlampievna Krivoberets, who entered the house during the search, and Viktor Gennadevich Bedarev were also arrested.

In Tashkent on March 29, 1978, the following people's homes were searched:

1. F.I. Karbovskaya, Leninsky rayon, #7 Kzyl Arbatskaya St., tupik 2;

2. Sofya Prokopevna Furlet, #6 Kzyl Arbatskaya St., tupik 2;

3. Maria Pavlovna Podosinnikovaya, #2 Arkheologicheskaya St.;

4. Valentina Petrovna Yakubinaya, #36 Vinokur St.; and

5. Aleksandra Semenovna Onishchenko, #15 Dostoevsky St.

On March 17, 1978, Adventists in Riga, Latvia were subjected to house searches: Petr Semenovich Boshev and his daughter, Loida Petrovna Bosheva (#1 Pastendes St., Apts. 3 and 5 respectively); Eita Kaze Nagretskaite (#8 Kveles St.); Eugenios Prono Darguzhis (#59 Seyas St.). When the Boshevs requested that they be shown some official identification, the searchers threatened to put handcuffs on them and to put them in pre-trial detention. The Boshevs were threatened with guns several times and they were verbally assaulted. During the search of Nagretskaite's house, the authorities confiscated not only religious literature and money, as was specified in the search warrant, but also "bedsheets made by the 'Wave' factory (a broad strip of lilac colored material), a dirty sheet, two Chinese towels, 10 bottles of shampoo for women, and two bars of bath soap."

In an open letter Shelkov's relatives express fear that he may not survive. They base these fears on the threats made by KGB workers during the search: "Now, old man, you'll have to pay for everything", and on the methods used to interrogate believers.

The story of Yakov Nikolaevich Dolgoter (born in 1959; address: Ukraine, Belgorod-Dnestrovsky rayon, Odesskaya oblast, village of Ugodnoe) can serve to illustrate this. On January 29, 1978, Dolgoter was detained in Pyatigorsk. During the interrogation, he refused to give evidence about his religious activities and on the religious literature which had been confiscated from him. Then the investigators, Captain Vladimir Nikolaevich Maltsev and another man who remained anonymous, took turns beating Dolgoter. They beat his head, face, neck -- every time taking care to lift his collar so that no marks of the violence would remain -- they beat him in the area of the kidneys demanding: "Tell us where you got it (the religious literature--Ed.) and who gave it to you or else we'll show you what Soviet power is like!" They strangled him with a scarf about his neck while continuing to beat him. The two interrogators stood facing each other, knocking Dolgoter from side to side like a ball, often forcing him to squat uncomfortably for prolonged periods of time and threatening him with the electric chair. They brought him to his senses by throwing cold water over him, after which time the "interrogation" continued. Other militia men took part in the beating, for example, MVD (Ministry of Internal Affairs--Ed.) Sergeant Aleksandr Soloviev. Not getting any evidence, they let Dolgoter go, demanding that he promise not to tell anyone about the beating and humiliations which he had undergone. Dolgoter categorically refused to give such a promise.

In addition to the above-mentioned criminal methods used on the Adventists, administrative measures are also applied.

On February 14, 1978, Nina Fedorovna Mikhel (RSFSR, Krasnodar krai, village of Enem, #5 Shchors St.) was fined 30 rubles for giving her children a religious upbringing. Due to their religious convictions, the children do not attend school on Saturdays. This absenteeism has no detrimental effect on their grades, since the children learn their lessons in advance. Z.M. Yagumov, the director of the school; Motyagina, a teacher; and Z.B. Khotko, the class director; and other teachers in the school treat the children intolerably: They make fun of Misha and Nadya Mikhel in front of the class and sometimes in front of the whole school (during school breaks). They threaten to take the children to an orphanage and to take away the mother's parental rights.

A woman who recently moved to the same village of Enem, Dina Alekseevna Podyachaya, was also threatened with deprivation of parental rights. She has already been fined 30 rubles. Because of the prevailing conditions at the school, parents must accompany their children to and from school every day.

Rostislav Galetsky, an active member of the All-Union Church of True and Free Adventists of the Seventh Day, is under the constant threat of losing his children. Galetsky is living in hiding from the authorities and is forced to see his children in secret.

The above mentioned facts reveal that the Soviet Union violates Final Act provisions on the right to freedom of conscience and religious convictions. In addition, the Soviet government violates Article 5 of the Universal Declaration of Human Rights: "No one shall be subject to torture or to cruel, inhuman or degrading treatment or punishment."

The Group expresses its alarm about the fate of the arrested Adventists, particularly, V.A. Shelkov, whose imprisonment threatens his life.

April 16, 1978

Moscow Helsinki Group:

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Vladimir Slepak

Appended to this document are three supplements which are available from the files of the CSCE Commission:

1. An open letter from the relatives of V.A. Shelkov;
2. An appeal on the situation of Soviet Adventists from Andrei Sakharov; and
3. A copy of the protocol of the search of V.A. Shelkov's house.

Deprivation of the Right to Employment and Housing on Political Grounds

Document No. 46

Discrimination on political (ideological) grounds with regard to employment and, frequently, place of residence and housing steadily is becoming more widespread, common and matter-of-course in our country.

In particular, former prisoners of conscience who have completed their terms fall victim to this type of discrimination. Helsinki Group documents printed in July and August 1976, and in December and January 1977, described this problem using the cases of Ivan Kandyba, Nadiya Svitlychna, Kronid Lyubarsky, Aleksandr Ginzburg, and several others as examples.

This type of discrimination, which may deprive an individual of the means to provide himself with food and shelter, persists. In this document we will use the situations of Nikolai Bondar, Kuzma Matviyuk and Andrei Tverdokhlebov as illustrations. Also, the Supplement provides new information on the continuing discrimination against Nadiya Svitlychna, Ivan Kandyba and Levko Lukyanenko (until his new arrest in December 1977); materials on the present situations of Pavel Kampov, Roman Semenyuk and Lev Sergeyev are also included. The case of Iosif Begun is especially significant. This man has already served a sentence for leading a so-called "parasitic way of life" and now has neither a job nor a place to live. In addition, Mustafa Dzhemilev is currently in difficult and desperate straits (Document No. 43).

Prior to his arrest, Nikolai Bondar, a worker in the city of Cherkassy (Ukrainian SSR), was convicted for "anti-Soviet agitation and propaganda" (he had appeared at a November 7th demonstration with a placard critical of the Communist Party). He served his 7-year sentence -- November 7, 1970 through November 7, 1977 -- in the strict regimen camps of Mordovia and Perm, and later in Vladimir Prison. While in detention, his vision deteriorated severely, and now he suffers from progressive myopia and constant pain in his eyes. Bondar appealed in writing to the Gelmgoltz Institute in Moscow and received a response stating that the Institute would provide him with medical aid after his release when he would be able to travel to Moscow. Just before his release, however, Bondar was transported to Vinnitskaya oblast in Ukraine and placed under administrative surveillance immediately after his release. This action deprived him of his right to travel; his movement is limited to Cherkasskaya oblast (earlier he was restricted to Vinnitskaya oblast) for the purposes of finding a job and a place to live. Each week Bondar is required to appear at the militia station in charge of his surveillance to renew his permit.

In the course of the next few months, Bondar was unable to secure either housing (even a small room, a corner of a room or a cot in a dormitory) or a job, although he had been willing to take any he could find. The major obstacle was his "political past" (which is noted in his internal passport). When people have shown a willingness to rent him housing, local authorities have denied Bondar permission to register. (The absence of proof of registration is considered a crime and punishable by law; no one will hire you without this document). Places of employment with vacancies and dormitories for their employees have denied Bondar space in the dormitory, and , consequently, a job, using his "past" as the pretext for doing so. Bondar is not even allowed a cot in a hotel: there they tell him "it's impossible" because he is not registered anywhere. Tired and cold after a day of searching for a room and a job, Bondar ends up spending the night at the train station... (See extracts from Bondar's letter in Supplement 1).

Kuzma Matviyuk of Uman (Ukrainian SSR) was arrested in the summer of 1972 and sentenced to 4 years for "anti-Soviet agitation and propaganda" (authorities had discovered several samizdat publications during a search of his apartment). Before his term was up, Matviyuk was convoyed to the city of Aleksandria (Kirovogradskaya oblast, Ukrainian SSR), where he was placed under administrative surveillance. Matviyuk has a higher technical education and insists on working in his field although he is denied the opportunity to do so.

Six months after his release, Matviyuk finally managed to get a temporary job. In Aleksandria, he, his wife, and his two children had huddled in a dank and dark basement. Therefore, in August 1977, after Matviyuk's surveillance ceased and he regained the right to move, he started working at an experiment station in Rovenskaya oblast as a senior scientific researcher. Nevertheless, after a certain period of time, and after he failed to exhibit the "conformity" required by the KGB, Matviyuk was fired. In March of this year he unsuccessfully appealed to the Presidium of the Supreme Soviet and to the Procuracy of the Ukrainian SSR (Supplement No. 2 contains specific details).

Physicist Andrei Tverdokhlebov spent five years in exile (a year of it in prison under investigation)on the charge of "distributing deliberately false inventions discrediting the Soviet state and social order," referring to his statements and articles in defense of human rights. In January 1978, he returned to Moscow to live with his relatives (daughter, mother, step-father, and sister) who had agreed to his living with them. Tverdokhlebov has been taken to the militia station on more than one occasion for "illegal" residence in Moscow; the militia has fined his relatives when they have come for Tverdokhlebov. Authorities kept Tverdokhlebov in custody for ten days (under conditions much like those in a cell) after arbitrarily charging him with "insubordination to authority".

The fact that Tverdokhlebov has neither proof of registration nor an official job (which cannot be procured without such proof) poses the threat of new criminal prosecution for violation of internal passport regulations and for leading a "parasitic way of life".

On April 6, Tverdokhlebov arrived in Kiev to attend the trial of Pyotr Vins. There he was detained by the militia and forcibly sent back to Moscow. (At a trial conducted behind closed doors in a building surrounded by a chain of militiamen, the court sentenced Pyotr Vins to a year in detention for "parasitism". Before placing Vins under arrest, the authorities deliberately blocked opportunities for Vins to work in order to devise for themselves the "legal right" to try him later...).

The discrimination suffered by Nikolai Bondar, Kuzma Matviyuk, Andrei Tverdokhlebov, and many others constitutes a violation of Articles 2, 13 (para. 1), 23 and 25 of the Universal Declaration of Human Rights; Articles 2 (part 2) and 26 of the Covenant on Civil and Political Rights, and subsequently, Principle VII of the Final Act of the Helsinki Conference.

This discrimination also contradicts the "right to work" and the "right to housing" proclaimed in the Soviet Constitution.

April 20, 1978

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Sofya Kalistratova
Malva Landa
Viktor Nekipelov
Naum Meiman
Tatyana Osipova
Vladimir Slepak

Supplements:

1. N. Bondar (excerpts from correspondence)
2. K. Matviyuk
3. L. Lukyanenko (statement)
4. I. Kandyba
5. R. Semenyuk
6. P. Kampov
7. L. Sergeyev (statement)
8. M. Landa
9. N. Strokatova
10. N. Svitlychna

The statement by Levko Lukyanenko contained in Supplement No. 3 above, provides a good description of the conditions under which a former political prisoner must typically live and work in the USSR. In the interests of brevity, and because the Lukyanenko statement is representative of the other supplements to Document No. 46, the editors have chosen here to include it alone. The remaining supplements may be found in the Commission's file.

Lukyanenko, a lawyer by profession, was convicted of treason and anti-Soviet agitation and propaganda in 1961 and spent the next 15 years in labor camps. Upon his release in 1976, he became a member of the Ukrainian Helsinki Group, and, as a result, was again arrested and sentenced to ten years in camp and five years in exile in July 1978. Lukyanenko wrote the following appeal to the USSR Supreme Soviet in August 1977:

"In 1961, the court sentenced me to death for wanting to raise, along with my colleagues, the issue of the peaceful secession of Ukraine from the USSR. The Supreme Court of the Ukrainian SSR commuted my death sentence to 15 years of detention in strict regimen labor camps.*

The secession of a Union Republic from the USSR does not contradict Marxist theory on the issue of nationality... these are fundamental truths of Marxist theory and Soviet law. But, nevertheless, I spent 15 years of torture in captivity.

For 15 years, the organs of repression tried to prove to me that Ukraine's constitutional right to secession and my aspirations constitute a threat to the territorial integrity of the Soviet Union. My inability to accept such an interpretation of the law caused me endless humiliation and torture, including a psychiatric examination at the Rybinsk psychiatric hospital.

Thank God I was able to get my soul out from behind bars to freedom in a healthy state. But there is no freedom here either.

I went from the hands of the prison wardens to those of the militia with their overt surveillance. Under surveillance, I do not have the right to leave the city without the permission of the militia, to leave my apartment, enter a hotel, cafe, bar or restaurant in the city: every Friday from 5 to 6 p.m. I must appear at the militia station to register. The police and volunteer police visit my apartment. They check up on me at work. This is official surveillance. Unofficial surveillance keeps the organs aware of my every step -- where are the limits? There is no privacy whatsoever in my life.

The KGB opens my letters and then uses them as evidence against me. For example, once I had written a letter to Oksana Meshko in which I protested Valentin Moroz's examination at the Serbsky Psychiatric Institute. Later, during the investigation of the signed protest, Senior Lieutenant Colonel of the Chernihiv KGB Derenchuk showed this letter to my brother Valentin's wife, who fell ill from fright.

The "secrecy" of telephone conversations is such that once, in dialing my number, Ivan Kandyba got the militia station which mockingly informed him that 3-39-13 was their phone number.

Authorities use such surveillance as a means of compiling data (minor violations of surveillance regulations) capable of bringing an individual to trial again. Therefore, a person under administrative surveillance is forced to glance at his watch constantly in order to avoid being late to the militia station or his own apartment; to scrutinize everyone he passes in the street to see whether he is an informer. The person under surveillance is in a constant state of nervous tension; he is deprived of the opportunity to be involved in civic activity, he is isolated and, in this manner, eventually brought to his knees.

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* (In July 1978, Lukyanenko was tried and sentenced to 10 years in hard labor camps and 5 years internal exile--Ed.)

I am no longer young and can forget about Friday occasionally, or not manage to get home by nine-thirty at night. This will serve as the basis for a new extension of my surveillance.

Finally, even without formal grounds, the militia (if the KGB deems it necessary) can always find a way to justify a new extension of surveillance. When will it end?

There is no end. The decree of the Presidium of the Supreme Soviet of July 26, 1966 on administrative surveillance grants the militia the right to extend surveillance for additional six month periods until the record of conviction is eradicated from any documents. In accordance with Part 3, Article 55 of the Criminal Code of the Ukrainian SSR, my conviction will stand forever. My record could be cleared only by court order, an order possible only if I were to change my attitude and opinions. These I will never change. Consequently, until I die there will always be legal grounds to extend my surveillance, and I will never be rid of this tiresome watch.

I don't find the prospects of such a life at all attractive. There is no law banning a person from work in his profession in the Soviet Union but, along with the absolute majority of Ukrainian dissenters, I have been stripped of the opportunity to work in my specialty and I have been forced to earn my bread in the most primitive surroundings.

I have spent more than 8 of my 50 years in your military barracks and prison cells and this is my second year under house arrest.

I love the Ukraine more than life itself, and when I earned my first 18-day leave, I had a desire to visit Kaniv to pay my respects to Taras* and to visit the Kiev museums. I was not given permission so that I would not have the opportunity to meet with other dissidents there.

I then asked permission to go to Trstyanka and Kochanovka to admire the scenery of the marvelous arboreta and to expand a bit my knowledge of the native land there. Again, I was denied permission, in spite of the fact that I don't know a single dissenter in these places. When I travelled to Druzhkivka for the trial (the trial of Tykhy and Rudenko--Ed.), I wanted to stay through the second day to talk with their relatives. In the morning, two militiamen "invited" me to the local militia station where they detained me until 11 o'clock. Then they took me to Kramatorsk and put me directly on a train.

In this manner, I am banned from seeing both my acquaintances and the countryside of my native land.

And this is what they call living?! And will it be like this until my death?

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* A statue of Taras Shevchenko, a famous Ukrainian poet, is located in this city.

No, judging from the latest events, the KGB is preparing another future for me: the presbyter of the Chernihiv Baptist commune (which I had once visited), Vladimir Mikhailovich Chernukha was, for six hours, cajoled into signing a paper. This paper ascribed to me statements I had never made.

There is no doubt that, if the KGB conceives the idea of fabricating and ascribing to me anti-Soviet statements, it will be able to do so; if it feels like driving me behind bars, it is also capable of doing that. It is largely capable of doing anything except convincing me I am wrong, because I am right, like Taras Shevchenko was right, as Ivan Franko was right, as Valentin Moroz was right.

The prospect of working as an electrician for the rest of my life; of seeing my country only within the bounds of Chernihiv; and receiving a new sentence do not satisfy me.

I therefore request permission to leave the Soviet Union for residence beyond its boundaries."

The Abuse of Labor Legislation

Document No. 47

In the early 1960's, the Soviet authorities began to pass special laws against so-called parasitism.

At present, the criminal codes of all Union republics have articles on the prosecution of people who are not working for wages (Article 209 of the RSFSR Criminal Code and corresponding articles of the Criminal Codes of the other Union republics). These laws are in direct violation of international agreements which forbid forced labor.

According to the specific language of such articles, the accused is incriminated by "systematic vagrancy, begging, or other kinds of parasitic life styles over a lengthy period of time."

The language of the law is vague enough to allow for the broadest and most arbitrary interpretation of the term "parasitism".

An unpublished decision by the Presidium of the RSFSR Supreme Soviet dated August 7, 1975 (amended on May 30, 1977) reads:

> "... under Article 209 of the RSFSR Criminal Code, a parasite is defined as an able-bodied adult who has refused socially useful work and has had no source of income from such work over an extended period of time, said period of time specified as four months in a row or over the course of one year, and commencing once the person has been officially warned that his parasitic lifestyle is not permissible."

In practice, the question of what constitutes unearned income is not addressed by the courts. We can cite, for example, people such as craftsmen, tutors, etc., who do not work for wages and are not registered with the financial organs but who nevertheless have official permission to do their work.

The above-mentioned decision by the RSFSR Supreme Soviet obliges local executive committees to provide jobs for people "who are performing socially useful labor" taking into account their professional qualifications.

In practice, however, scientific researchers, engineers, writers, and other people with a high level of professional training are not given appropriate jobs.

The total secrecy of statistics on trials deprives us of the possibility of determining how many cases of parasitism are examined in the courts. However, we emphasize that the very existence of forced labor laws ascribing criminal penalties for parasitism is, in and of itself, inadmissible.

Since the Soviet authorities have threatened to bring or have actually brought parasitism charges against dissidents and people who are fighting for their right to emigrate in numerous instances in the past, we have dedicated a document to this question.

The first "parasitism" cases were tried in the early 1960's: At that time, the leading contemporary poet, Iosif Brodsky, and the well-known historian and publicist, Andrei Amalrik (both of whom now live in the West), were sentenced to exile in Siberia. This practice has continued since the signing of the Helsinki Agreement.

People attempting to emigrate most frequently fall victim to the parasitism trap: a considerable number of dissidents and people who have applied to emigrate from the USSR are subsequently fired from their jobs. Usually, their attempts to find new jobs in their profession are futile. So, people with excellent professional qualifications try to find any kind of work at all. Physicist Yuri Mnyukh, who is now in the United States, worked for a long time as an elevator operator (furthermore, to avoid "unpleasantness" at work the job was registered in his wife's name). Iosif Beilin, who recently emigrated to Israel, also worked for many years as an elevator operator. Vladimir Kislik, who has a candidate degree in physical and mathematical sciences, works as a bookbinder in Kharkov. Konstantin Babitsky, a highly trained linguist and author of scientific works, still cannot find work in his profession and works as a carpenter, even though the restrictions of internal exile previously placed on him were lifted many years ago. There are many other examples of this practice.

Not everyone manages to get permission to register his job or to give private lessons (tutoring school children): In the summer of 1977, Iosif Begun, teacher of Hebrew, was arrested and sentenced to two years of internal exile. The court did not consider the teaching of Hebrew to be "socially useful labor" since the authorities refused to register this work with the financial organs. Thus, in effect, they forbade teaching Hebrew in the USSR. Begun's term of exile was shortened by an amnesty occasioned by the 60th anniversary of the October revolution. Begun recently returned to Moscow, but the authorities refuse to give him a residence permit, although he was born in Moscow and his wife lives in Moscow.*

Now another teacher, Pavel Abramovich, may face trial on parasitism charges.**

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* (At the end of June 1978, Begun was sentenced to three years of internal exile for violating regulations on residency--Ed.)

** (At present, no court action has been taken against Abramovich--Ed.)

Petr Vins, 22 years old, is persecuted by the authorities for his participation in the Ukrainian Helsinki Group and for his attempts to emigrate to Canada with his father, Pastor Georgy Vins, who is currently in prison camp. In the summer of 1977, Vins was fired from his job and only could find work as a stevedore. He then was dismissed from the loading job for health reasons (he had had a serious stomach operation). On December 8, 1977, Petr Vins was detained in Kiev in connection with his attempt to travel to the December 10 demonstration* in Moscow: he was beaten up and the next day was sentenced to 15 days on charges of petty hooliganism. Then his detention was illegally prolonged for another 15 days. Vins announced a hunger strike and fasted for 15 days (See Document No. 28). In February 1978, Vins was arrested again, and on April 6, 1978, was sentenced to a year of labor camp for parasitism. Vins' friends and even his sister were not admitted into the courtroom.

On March 20, 1978, a member of the Georgian Helsinki Group, Grigory Goldshtein, Candidate of Science, was sentenced in Tbilisi to one year of imprisonment on charges of "parasitism". After Goldshtein applied to emigrate to Israel, he could not find work in his profession and lived on savings from his previous jobs (Goldshtein is a bachelor and had been employed continuously for 17 years at jobs which are well paid by Soviet standards). Although Goldshtein continued his scientific research on his own, and gave free lessons to students in math and physics, the court did not consider him to have been engaged in socially useful labor. It is characteristic that the court, in condemning Goldshtein for parasitism, did not present any evidence of his living on "unearned income". Furthermore, the court refused Goldshtein's demand to investigate documents on the sources of his income.

At the present time, the threat of going on trial for "a parasitic lifestyle" hangs over Grigory's brother, Isai Goldshtein, who is also a member of the Georgian Helsinki Group.

Yuri Gastev, a Moscow mathematician, cannot find work in his profession and the militia has been persecuting him for several months already, threatening him with criminal charges for parasitism. The jurist Vsevolod Kuvakin is also threatened in this way; he has been trying to find a job in his profession since November 1977.

After he applied to emigrate to Israel, Gennady Khasin, a teacher with a Candidate's degree in physical and mathematical sciences, has been deprived of the opportunity of teaching school. The regional financial administration has refused to register him as a tutor in math and physics. Now he faces the choice of either taking a job outside his profession (if he manages to find one!) or of being prosecuted for a parasitic lifestyle.

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* (There is a tradition among Soviet dissidents to hold a silent demonstration in Pushkin Square in Moscow on December 10, Soviet Constitution Day--Ed.)

In Tashkent, Uzbekistan, the militia has warned Mustafa Dzhemilev (See Document Nos. 1 and 43), who has been recently released from camp, that he may face charges of parasitism. Dzhemilev is in bad health after many years of imprisonment and a nine month hunger strike. His request to get classification as an invalid (which, depending on the category, would exempt him from certain types of labor and give him a small pension--Ed.) was refused because he does not have a residence permit for Tashkent. In Samarkand, Uzbekistan, Aishe Seitmuratova, another Crimean Tatar activist, is also being threatened with a parasitism charge.

In Kiev, Lyubov Murzhenko (wife of A. Murzhenko, the imprisoned "airplane hijacker") received a warning about parasitism at the end of March 1978. She received this warning despite her written statement that she will find a job in May as soon as her mother retires from her job and can look after her rather sickly daughter.

Valentin Poplavsky, one of the founders of an "independent labor union" is currently under investigation for "a parasitic lifestyle." Baptist minister Nikolai Saffran was refused permission to continue living in Moscow and has been sent to the Serbsky Institute for Forensic Psychiatry for a mental examination by its medical commission.

In our country, people with creative occupations such as writers, artists, poets, philosophers, are only considered to be performing socially useful labor if they are members of the proper official unions.

Recently, representatives of the militia appeared at the homes of the well-known writers Georgy Vladimov (who has resigned from the writer's union), Vladimir Voinovich and Vladimir Kornilov (both of whom were expelled from that union), and Aleksandr Zinoviev (who has been stripped of all his titles and has been dismissed from his work in philosophy), and demanded that they give information on their sources of income. A member of the militia even went to see Lev Kopelev to ask why he did not work (Kopelev has been on pension for a long time).

Why must these people, the pride of Russian literature, work as elevator operators and stevedores? Why must they face warnings "to stop their parasitic lifestyle" and, shortly thereafter, be made to stand trial for parasitism?

April 22, 1978

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(Appended to this document is one supplement, an open letter in defense of Grigory Goldshtein, written by Andrei Sakharov on March 8, 1978. This full text of the letter is in the Commission files)

Ten Years of 'The Chronicle of Current Events'

Document No. 48

The human rights movement in the Soviet Union originated over ten years ago, influenced by, and as a direct result of, very significant internal and external events of that time. One of the most important factors in the formation of this movement was the appearance of the news journal, "The Chronicle of Current Events", the first issue of which appeared April 30, 1968. On the title page -- as on the title pages of all subsequent issues -- is the text of Article 19 of the Universal Declaration of Human Rights:

> "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers."

The ten years of "The Chronicle of Current Events" have been years of struggle for public debate, of the fight against the intolerance and injustice of our society, and to open, democratize and, in general, humanize Soviet life. For all these years and up to the present day, "The Chronicle" has been one of the most objective, complete and exact factual records of Soviet human rights violations. It is widely used both in the USSR and abroad in defense of human rights. In particular, Amnesty International regularly publishes "The Chronicle of Current Events" in English and other languages, extensively using this material in defending political prisoners.

All these years, "The Chronicle" has heroically withstood official repression and provocation. However, it has sustained heavy losses: the persecution of its editors, publishers and those who collect its material, as well as those who distribute and read "The Chronicle". Today, some of these people are in the camps, others have been forced to emigrate, and still others are continuing their responsible, self-sacrificing work. One cannot overestimate the significant educational function of "The Chronicle of Current Events" for all members of the human rights movement, and for all its countless readers in the USSR and abroad.

April 27, 1978

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On Violations of the Right of Kolkhozniks* to Emigrate and to Leave the Kolkhoz**

Document No. 49

Several times, the documents of our Group have dealt with the issue of the illegal obstacles the Soviet authorities put in the way of those who want to emigrate or join their relatives outside the USSR. This information, however, was mostly about people who live in cities or in urban settlements. In this document, we have decided to discuss the situation of peasants who want to emigrate from the USSR.

The village of Ilinka (under the Kazan village council in the Talov rayon, the Voronezh oblast in the Russian Republic) was settled almost entirely by orthodox Jewish peasants. There are about 130 households in the village. Since the Jewish faith forbids any kind of birth control, most families in the village have, on the average, six or seven children. The overwhelming majority of the villagers want to emigrate to Israel.

Twelve to fourteen families emigrated from this village from 1974 to 1976. From 1975 until 1977, however, the authorities did not allow vyzovs (invitations) sent through the mail to reach the villagers. According to unofficial information (one of the officials of the Talov regional Party committee let it slip in conversation with the Ilinka villagers), in mid-1976 the Talov regional committee of the Communist Party of the Soviet Union was holding 109 vyzovs sent from Israel to the people of Ilinka and which had been confiscated in the mail. Vyzovs were then sent to relatives and acquaintances living in other places and delivered to the Ilinka Jews through other means.

A new obstacle then arose. The Chairman of the "Rossiya" Kolkhoz, Viktor Demyanovich Tarasov, and the Chairman of the Kazan Village Council, Vasily Vladimirovich Lebedev, refused to give those villagers of Ilinka who wanted to apply to emigrate the necessary certificates: of their place of residence, on the number of people in their family, and of their place of employment. Without these certificates, the Voronezh OVIR has not, and will not, accept applications for emigration. Towards the end of 1976, about 50 households had vyzovs but were unable to obtain the necessary certificates.

Fourteen families are trying to push OVIR into accepting their applications for consideration and, at the same time, are also trying to get the required certificates from the kolkhoz and the village council. Three families: Samuil Mordofeevich Matveev (8 people), Yakov Issevich Matveev (8 people), and Divora Yakovlevna Matveeva (9 people) sent their documents -- without the certificates -- by mail to the Supreme Soviet. The documents were sent back to the Voronezh OVIR. Representatives of these families were told in the Voronezh OVIR that they should take back these documents. After they refused to do so, they were told that OVIR would not consider their emigration requests until the missing certificates had been produced.

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* (Farmer on a collective farm--Ed.)

** (Collective farm--Ed.)

Five families, including the three named above, and also the families of Fira Isakovna Matveeva (6 people) and Ein Mikhailovich Piskarev (10 people) began the struggle to get these certificates. Several times, representatives of these families have dealt with five bureaucracies at all levels: the Soviet, from the village council to the Supreme Soviet; the Party, from the kolkhoz Party organization to the Ministry of Agriculture; the Ministry of Internal Affairs, from the Regional Executive for Internal Affairs to the Ministry for Internal Affairs of the USSR. Thus, for example, the family of Yakov Isaevich Matveev has sent 55 statements and complaints to various offices during 1977 alone. The result of these meetings and correspondence was an oral reply: "We do not have the right to give orders to the kolkhoz chairman", or a refusal to respond at all.

Driven to despair, in April 1977 they stopped working on the kolkhoz, stopped sending their children to school, announced their withdrawal from the kolkhoz and called for the convening of a general meeting or a meeting of the authorities to confirm their withdrawal from the kolkhoz. Shortly thereafter, a special commission of representatives of the section on popular education of the regional committee of the Party and of the regional Soviet was established in Ilinka. The commission decided that if the parents did not stop preventing their children from going to school, they would be deprived of their parental rights and the children would be sent to orphanages. Under the threat of losing their children, the villagers were forced to start sending their children to school again. As an additional harassment, in 1977 and 1978, all Ilinka males of draft age were conscripted.

There was no general meeting of the kolkhoz until December 1977. According to the rules of the kolkhoz, however, such meetings should be held at least every three months. In response to all complaints, the local leaders said "The people are busy working in the fields". Only involvement by the Ministry of Agriculture -- to which these families had appealed by insisting they wanted such a meeting convened -- produced results. On December 21, 1977, the authorities held a meeting of the kolkhoz.

The directors of the kolkoz and the regional authorities were well prepared and the meeting was conducted like a well rehearsed play. Not one of those who wanted to withdraw from the kolkhoz was given permission to do so. In a vote of 86 to 17, the meeting decided: Do not allow the applicants to withdraw from the kolkhoz!!!

The response to complaints sent by the would-be emigrants to the regional procuracy was: "There were no violations of kolkhoz democracy in the resolution of this issue" and "I do not find any grounds to protest the decision of this question". A similar response was sent by the oblast procuracy: "There is no basis to indicate involvement of the procuracy." Complaints sent to the Procuracy of the Soviet Union and to the Procuracy of the RSFSR, were sent "for examination" to the oblast procuracy. And so the circle is complete.

The new chairman of the kolkhoz, Aleksei Grigorevich Kuvaldin (V.D. Tarasov, the former chairman, has been promoted and is now Director of the Regional Agricultural Executive) and the new chairman of the Village Council have told the Ilinka villagers, "You will work here until the day you die. We are not going to let you go anywhere."

This is how serfdom has triumphed. Peasants are tied to the land and cannot leave their villages!

The most shameful fact is that all this does not conflict with "Model Regulations for the kolkhoz" which is the basis for regulations for all Soviet kolkhozes. In regard to withdrawal from the kolkhoz it says only "Statements on withdrawal from the kolkhoz must be examined by the leadership and by a general meeting of all kolkhozniks no later than within a three month period from the day of the formal announcement (of the intention to withdraw from the kolkhoz)" -- not one word about the freedom to withdraw from the kolkhoz!

April 30, 1978

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(Appended to this document are three supplements which are held in the Commission files).

Supplement No. 1: Excerpt from the "Model Regulations for a Kolkhoz".

Supplement No. 2: Copies of letters to the families in Ilinka from the Procuracy.

Supplement No. 3: List of 14 families struggling for the right to emigrate to Israel.

The Trial of Professor Yuri Orlov

Document No. 50

The trial of Yuri Orlov, founder of the Helsinki Group in the Soviet Union, well-known physicist, professor, Corresponding Member of the Armenian Academy of Sciences, took place in Moscow, May 15-18, 1978.

The fabricated nature of the trial is made obvious by the fact that the authorities needed to keep Orlov in preliminary detention for 15 months under the strictest isolation to prepare for the trial, and spent only three days in examining the 58 volumes of investigative materials collected over those fifteen months. The court needed only a few hours to discuss and formulate the sentence -- the maximum punishment under Article 70 of the Criminal Code -- 7 years imprisonment in strict regimen camps followed by 5 years of exile.

The nominally open trial took place behind closed doors. Aside from specially selected individuals, only Orlov's wife and two sons were allowed into the courtroom. Each time they entered, the three were subjected to degrading searches: Orlov's wife was stripped naked in the presence of three men. Orlov's son was struck on the head several times. Orlov's friends, among them Academician Sakharov, were barred from the courtroom.

A series of searches and the arrests of Aleksandr Podrabinek and Iosif Begun took place during the trial. N. Nokin, D. Leontiev and V. Korotich were sentenced to 15 days' detention.

During the trial, the procurator and the court painstakingly avoided any mention of the fact that the documents used to incriminate Yuri Orlov were Moscow Helsinki Group documents.

The court only established the fact that Orlov had participated in compiling documents and cut off all attempts by Orlov and his lawyer to analyse the contents of the documents -- the court had decided beforehand that all the documents were "slanderous."

Furthermore, in violation of the constitutional principles requiring the court's openness, thoroughness and direct acquiantance with all materials pertinent to the trial, the documents were not made public in the course of the trial, and Orlov and his lawyer not only were forbidden to discuss the content of any of the documents, but even to utter the full title of a document.

All of the petitions presented by Orlov and his lawyer in Orlov's defense -- the calling of witnesses, filing of documents, etc. -- were rejected by the court. Orlov's testimony was persistently and repeatedly cut off; his attorney's questions were overruled.

Aware of the fact the Ye. S. Shalman could not present the political aspects of the defense, Yuri Orlov expressed his gratitude to his lawyer for his legal and moral assistance at the end of the trial, excused his lawyer from participating in the final statement; and announced the he himself would give the summing up.

Nevertheless, the final defense statement was broken off by numerous interjections from the judge and hostile shouts from the courtroom filled, as mentioned above, with a specially selected audience.

The judge also interrupted the defendant's "last word." Orlov said, "You should be ashamed for interrupting me. This is, after all, the final statement the law permits me." Even after this, interruptions deprived him of the opportunity to speak unhindered.

Neither the statement of the defense nor Orlov's "last word" were ever finished.

After the court had consented to excuse Orlov's attorney, Ye. S. Shalman, from further participation in the trial, Shalman was forcibly removed from the courtroom and allowed to return only after making a call to the directorate of the Collegium of Attorneys.

At the end of each session of the trial, we recorded everything that had occurred in the courtroom from the words of Irina Orlov.

Therefore, we confirm that Orlov's trial was not an objective and fair examination of the case, but a reprisal for free thought and free speech.

The significance of the trial of Yuri Orlov -- and of earlier political trials and the upcoming trials of his friends, publicist A. Ginzburg and cyberneticist A. Shcharansky, in the Moscow Helsinki Group -- reaches far beyond Soviet borders.

These trials have a direct relationship not only to the human rights issue, but to the issue of relaxation of international tensions.

We appeal to the governments and heads of state of Helsinki signatories, to public organizations in these countries, and to private individuals, especially scientists and writers, to come forward in defense of the Helsinki movement, and thereby the Helsinki Final Act which confirms the indissoluble bond between the issues of human rights and international security.

May 18, 1978

Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Malva Landa
Naum Meiman
Viktor Nekipelov
Tatyana Osipova
Vladimir Slepak

Georgian Helsinki Group:

Grigory Goldshtein

We fully support the Helsinki Group statement on the trial of Professor Yuri Orlov:

Andrei Sakharov
A. Lavut
Yu. Yarym-Agayev

Ida Nudel
A. Polikanova
L. Kopelev

S. Polikanov
I. Kovalev
V. Kornilov

On the Arrest of Aleksandr Podrabinek*

Document No. 51

On May 14, 1978, the eve of the Orlov trial, Aleksandr Podrabinek was arrested. Podrabinek is a well-known Soviet human rights activist and author of "Punitive Medicine", a book soon to be published in the West.

Aleksandr Podrabinek is an active member of the Working Commission for the Investigation of the Abuse of Psychiatry for Political Purposes. In the past two years, he has worked diligently in the defense of mentally stable individuals who are committed to psychiatric hospitals for their dissenting beliefs, their defense of human rights, or for their religious activities. At the same time, Podrabinek has also defended the interests of mentally disturbed individuals who present no threat to society, but who are forcibly institutionalized merely because they hold certain dissenting or religious beliefs.

The painstakingly documented information Podrabinek collected on the abuse of psychiatry for political purposes, not only served as material for "Punitive Medicine" (the draft of which was confiscated by the KGB during a search in March 1977), but also figured in the materials of the Congress of the World Psychiatric Association in Honolulu.*

It is common knowledge that the KGB persistently sought to force Podrabinek to emigrate by using his brother, Kirill, as a hostage. When Aleksandr refused to leave the USSR, Kirill was arrested without grounds and, in March, sentenced to two years and six months deprivation of liberty.

Aleksandr continued his work, although he was constantly followed and harassed. Now, he has been arrested and put into prison.

The investigation is being conducted by V.M. Guzhenkov of the Moscow oblast Procuracy, under Article 190-1 of the RSFSR Criminal Code: "dissemination of fabrications known to be false, which defame the Soviet state and social system." As is the case with all Soviet political prisoners, Podrabinek has been deprived of his right to correspond with or see his family, friends or a lawyer, during this pre-trial imprisonment.

Podrabinek did not engage in any illegal or secret activities. He acted within the framework of the Universal Declaration of Human Rights, the International Covenants and Soviet Law. All those who know Podrabinek do not doubt his truthfulness, honesty and selflessness.

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* (Podrabinek was charged with Article 190-1 of the RSFSR Criminal Code, convicted and sentenced on August 15, 1978 to five years of internal exile--Ed.)

** (The Congress, at its meeting in Honolulu in August 1977, condemned the alleged abuse of psychiatry for political purposes in the USSR--Ed.)

We call on the governments and heads of states signatory to the Helsinki Final Act, on civic organizations in these countries, and on the World Psychiatric Association to come forward in defense of Aleksandr Podrabinek and against the continuing persecution of the human rights movement in the USSR.

May 22, 1978

Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Malva Landa
Naum Meiman
Viktor Nekipelov
Tatyana Osipova
Vladimir Slepak

The Arrest of Vladimir Slepak and the Institution of Criminal Proceedings Against Maria Slepak and Ida Nudel

Document No. 52

On June 1, Vladimir Slepak was arrested; his wife, Maria, was detained. They were charged with malicious hooliganism under Article 206-2 of the RSFSR Criminal Code, an article which provides for a penalty of one to five years of imprisonment. After she suffered an attack of pancreatis and angina pectoris, Maria Slepak was released on her own recognizance on June 3, 1978; Vladimir Slepak was interned in Butyrsky Prison.

Why were the Slepaks threatened with such severe punishment? As of this May, it became eight years since the Slepaks were first denied permission to emigrate to Israel, where their older son and Maria's parents live. They were denied permission on the notorious pretext of "state secrets", to which Vladimir supposedly had access. Their younger son, who was ten when the family first applied to emigrate, is now facing the possibility of being drafted into the army. For some time now, Maria Slepak has been waging an unsuccessful campaign to obtain an exit visa for herself and her younger son.

On June 1, Vladimir and Maria Slepak stood on the balcony of their eighth floor apartment with two signs. Vladimir held one reading: "Let us go to our son in Israel." Maria's read: "A visa for my son." It was a silent and orderly demonstration, which in no way disturbed the peace. The acts of malicious hooliganism and disburbing the peace, with which the Slepaks were charged, should be levelled against the authorities instead. They were the ones who poured boiling water from the ninth floor of the apartment building onto the Slepaks, who were badly burned. (Later TASS, in one of its foreign wire service reports, falsely accused the Slepaks of pouring boiling water on the crowd below). Within half an hour, plain-clothes policemen broke the door down and, without a warrant, took the Slepaks away. Vladimir Slepak is the twenthieth member of the Soviet Helsinki Group to be arrested.

The same charges, under Article 206-2, were brought against another leading Jewish activist, Ida Nudel, after she staged a similar protest on the balcony of her apartment. Nudel is particularly well-known for her self-sacrificing work with prisoners of conscience. For more than six years, she has been trying to obtain permission to emigrate to Israel where all her relatives live.

In both these cases, the Slepaks and Nudel have engaged in very moderate public protests against the arbitrary decisions of OVIR — in violation of the Helsinki Accords -- to block the reunification of families. It is not only a violation of the Helsinki Accords, but also of the International Covenant on Civil and Political Rights (which the Soviet Union ratified), to bring criminal charges against the participants in a peaceful demonstration.

June 5, 1978

Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Malva Landa
Naum Meiman
Viktor Nekipelov
Tatyana Osipova

This Document is accompanied by several supplements* involving the Ida Nudel case. Information on the case of Vladimir Slepak is unavailable, since he has been held in total isolation since June 1, and has had no contact either with family members or with an attorney. The Group is also unable to distribute material on the charges against Maria Slepak, as she is currently in the hospital with an aggravated ulcerous condition, including a bleeding ulcer of the stomach. We have reason to believe, however, that the investigation and inquiry into the Slepak case will be similar to those in the Nudel case.

June 15, 1978

Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Malva Landa
Naum Meiman
Viktor Nekipelov
Tatyana Ospivoa

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* (On record in the Commission files--Ed.)

Additional Information on the Orlov Trial

Document No. 53

In addition to Document No. 50 on the trial of Yuri Orlov published on May 18, 1978, the day of the trial's verdict, the Public Group issued a collection of documents in the form of witness' testimony. These documents are meant to show that the statements for which Orlov was incriminated are, in reality, not slanderous in nature.

Included in the collection are:

1. A statement by Professor Meiman on the difficulties of publishing scientific works.

2. A letter from a group of scientists, signed by Orlov and others. (The court found the letter to be slanderous, without considering or investigating the substance of its contents).

3. A numerical comparison of the number of Soviet Nobel laureates in various scientific fields to the total number in those fields, worldwide.

4. A letter from Natalya Fedorova, wife of political prisoner Yuri Pavlovich Fedorov, interned in special regimen camp No. 1, Mordovia, Sosnovka, institution ZhKh 385/I-6.

5. A statement by Malva Landa on the testimony of witnesses (Sukhanova, Sheliya, Emelyanova, Anisimov, Dovganovich, Lyubarskaya and Blokhina) at the Orlov trial.

6. Report on a declaration by political prisoner, biologist Sergei Kovalev (Perm oblast camp No. 37), on his desire to have appeared as a witness at the Orlov trial.

7. Several reports on camp conditions even after the arrest of Yuri Orlov.

In addition, we request study of Document No. 49 on the situation of kolkhoz workers in the village of Ilinka since the court found this document (published before Orlov's arrest) to be slanderous.

The Public Group will continue to collect documents, proving that the Orlov trial was intended not to uncover the truth, and proving that the harsh sentence imposed on Yuri Orlov was a pre-arranged reprisal for his public defense of human rights.

June 15, 1978

Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Malva Landa
Naum Meiman
Viktor Nekipelov
Tatyana Osipova

* * * * * * * *

The full texts of the supplements to Document No. 53 are on record in the Commission files. Below are synopses of the contents of the supplements.

Supplement No. 1

In a brief statement dated June 7, 1978, Professor Naum Meiman recounts a conversation he had in the summer of 1976 with the director of the Institute of Physical Problems of the USSR Academy of Sciences, Academician P.L. Kapitsa. During this conversation, which focused on Meiman's own attempts to obtain an exit visa for Israel, Kapitsa confirmed that refusenik scientists are, in effect, barred from publishing in Soviet scientific journals. Kapitsa, editor of the Journal of Theoretical and Experimental Physics, told Meiman of his inability to obtain permission from the Institute's experts' commission to publish an article by refusenik physicist Mark Azbel.

Meiman asks that his statement be considered as proof of the veracity of Part I of the letter signed by Orlov and contained in Supplement No. 2 below. The court found this letter to be evidence of Orlov's anti-Soviet slanderous activity.

Supplement No. 2

In a letter to the Chairman of the Soviet State Committee on Science and Technology, V.A. Kirillin, and the President of the Soviet Academy of Sciences, A.P. Aleksandrov, eight Soviet scientists (Orlov, Sakharov, Turchin, Levich, Lerner, Meiman, Azbel and Brailovsky) call attention to the following violations of the professional and civil rights of scientists in the USSR, and demand that they be stopped immediately:

1. The authors note that the existence of "experts' commissions", which are attached to all scientific institutes and which review and approve any works submitted for publication, constitutes a limitation on scientists' professional rights. Since these commissions only review papers written by colleagues of their institutions, scientists working independently cannot publish their material.

2. Similarly, scientists who do not belong to institutes cannot present scientific papers publicly, participate in public scientific discussions, or take part in scientific conferences. Papers presented at such conferences require the same official review and approval by experts' commissions as do scientific publications. Attendance at such conferences is, as a rule, also decided by these same experts' commissions.

3. A scientist's participation in international scientific conferences and the number of professional trips he may take abroad are subject to unpublished regulations. Since Soviet scientists must obtain permission from their scientific institute before they can travel abroad, a significant number of scientists will never have the opportunity to do so. Scientists who receive personal invitations from foreign institutes cannot accept them without approval by the administration at their institute.

4. The authors insist that scientists must be allowed to express their beliefs freely -- whether of a professional, religious, or ideological nature -- and that these convictions should not be held against them professionally. Scientists should be free to live and work in the country of their choice.

5. Because secrecy limitations are not specific as to extent or duration and can be imposed arbitrarily and retroactively, Soviet authorities can easily cite secrecy grounds for denying scientists the right to travel or to emigrate.

6. All scientists who are fired from their institutes by order of the authorities are ostracized and, in effect, are barred from working in their profession. They often must resort to performing unskilled labor. However, there are employment regulations which prohibit hiring someone with a higher education for manual labor. Therefore, scientists who are barred from working in their field, live under constant threat of being prosecuted for "parasitism". Scientists who have been convicted of political crimes are stripped of their professional rank and titles.

Supplement No. 3

At Yuri Orlov's trial, a document he wrote entitled "10 Questions for Comrade L.I. Brezhnev" was used by the prosecution to incriminate him of slandering the Soviet state. In this article, Orlov made the assertion that only 3 percent of all Nobel laureates in science were Soviet. The facts refute the prosecution's claim and support Orlov's assertion.

For the period from the formation of the Soviet state in 1918 through 1973, the year Orlov's work was written, exactly 2.9 percent of all Nobel science laureates have been Soviet:

	Number of Nobel Science Prizes Awarded from 1918-1973	Number of Nobel Science Prizes Awarded to Soviets
Physics	79	6
Chemistry	68	1
Physiology and Medicine	94	0
TOTAL	241	7 (2.9 percent)

Supplement No. 4

In a letter dated May 17, 1978 to Aleksandr Ilich Ginzburg's lawyers, E.A. Reznikov and Edward Bennett Williams, Natalya Fedorova, wife of political prisoner Yuri Pavlovich Fedorov (interned in special regimen camp No. 1, Mordovia, Sosnovka, Institution ZhKh 385/I-6), calls attention to the unethical medical practices of a Dr. Emelyanova. During the Orlov trial, Emelyanov's testimony was introduced to refute Orlov's claims that severely ill political prisoners (Karavansky, Murzhenko, Fedorov and others) are denied proper medical attention.

Fedorov's wife states that during the eight years of her husband's internment in the Mordovian camps, he has been constantly ill. Emelyanova herself had sent Fedorov to the camp hospital five times since she began work as camp physician. At the time Mrs. Fedorova wrote the letter, her husband was in the prison hospital for the sixth time at Emelyanova's direction.

Although Emelyanova had told the Orlov court that Fedorov is perfectly healthy, his wife points out that his medical chart lists him as suffering from the following ailments: nefritis, gastritis, rheumatism of the right knee, and chronic conjunctivits. Fedorov is just over six feet tall but weighs only 114 pounds.

Assuming that Emelyanova's testimony might figure in the prosecution of Ginzburg, Mrs. Fedorov made the above information available to his attorneys in the hope that it will aid in his defense.

Supplement No. 5 (paraphrased)

Refutation of Prosecution Witnesses' Testimony Concerning the Treatment of Political Prisoners in the USSR

In Supplement No. 5, Moscow Helsinki Group Member Malva Landa refutes the testimony presented at the Orlov trial on the medical treatment of political prisoners in the USSR by Doctors Sukhanova, Sheliya and Emelyanova (Medical staff of prisons and labor camps); by prisoners Anisimov (Vladimir Prison) and Dovganich (Perm Labor Camp No. 36); and by Doctors Lyubarskaya and Blokhina (Dnepropetrovsk Special Psychiatric Hospital).

As author of Moscow Group Document No. 3 (June 1976) on inhumane prison conditions for political prisoners, and as co-author of Moscow Group Document No. 17 (January 1977) showing that a significant number of political prisoners are seriously ill, Landa attests to the veracity of those documents and welcomes verification of the assertions made in them by an independent and competent international commission.

Instead of calling independent investigators, "impartial" witnesses such as the physicians assigned to the very institutions implicated in the documents were summoned by the court.

Doctors at correctional institutions in the USSR are functionaries of the Ministry of Internal Affairs, directly responsible to the KGB. In other words, their first responsibility is to follow the orders of the authorities, not to minister to the health of the prisoners.

Witness Sukhanova, a physician at Vladimir Prison, testified that there are no seriously ill prisoners at Vladimir, and that when a prisoner falls ill, he gets immediate medical attention. In response to Orlov's questions on political prisoners Sergienko and Superfin, Sukhanova said that Sergienko has recovered from tuberculosis and Superfin is in good health. In vain, Orlov requested that Sergienko's mother, Ukrainian Helsinki Group Member Oksana Meshko, be allowed to testify as a defense witness.

Moscow Helsinki Group Document No. 17 lists seriously ill prisoners at Vladimir (Z. Antonyuk, N. Budulak-Sharygin, A. Sergienko, and others). Their situation has never been subject to international inspection. Not one of these prisoners was summoned to testify for Orlov.

The Group wanted to have Yakov Suslensky, a former POC released from Vladimir Prison in early 1977, called. Suslensky, who suffers from cardiac insufficiency, was kept on a starvation diet in an isolation cell in Vladimir for a protracted period. In May 1975, Suslensky had a severe heart seizure and lay in his call unattended for many hours. To revive him, the prison medical personnel gave him an injection directly into the heart muscle. Instead of sending him to the prison hospital, however, Suslensky was kept in the isolation cell for ten more days and nights. During the spring of 1977, Suslensky emigrated to the West.

The health of POC Zinoviya Antonyuk who also suffers from heart disease is gravely endangered.

For over a year, the witness Sheliya had been in charge of serving Perm Camp Hospital Nos. 35, 36 and 37, and was responsible for sanitary conditions there. During his testimony, Sheliya asserted that prison conditions are good and that medical attention is readily available. However, prisoners under Sheliya have complained that he is unscrupulous and inhumane. In May 1977, Russian, Ukrainian, Jewish, Armenian, and other prisoners in Perm Camp No. 35 planned to stage a protest to have Sheliya removed. The protest did not get underway since the camp was partially reorganized and many activists were transferred. Sheliya had assumed his post at Perm after the Moscow Group documents in question had been written.

The following seriously ill prisoners in Perm Camps 35 and 36 are among those listed in Moscow Group Document No. 17: Ivan Svetlichny, Anatoly Marchenko and Evgeny Pronyuk. Not one of these men was called as a defense witness.

Witness Emelyanova, a doctor assigned to a special regimen camp in Mordovia, testified that prison food is good, that there are no seriously ill prisoners, and that when needed, proper medical care is available. Orlov asked Emelyanova whether she thought that prisoners S. Karavansky, V. Moroz, A. Murzhenko, and Yu. Fedorov were in good health. Emelyanova replied that they were.

When Fedorov's wife, Natalya, was told of Emelyanova's testimony, she prepared a written statement on the poor state of his health (See Supplement No. 4). One day after Orlov was convicted, this statement was confiscated from Landa's home by agents of the MVD and KGB. Then, Landa was taken into custody.*

The prisoners Anisimov and Dovganich testified for the prosecution in the Orlov case in exchange for favors from the authorities.

Anisimov, an inmate of Vladimir Prison, swore that he had never had any rotten food while in prison. When asked if there are hunger strikes in the prison, Anisimov replied that some prisoners strike, but that others do not, even though they say they do.

Anisimov has been a prisoner for a longer time than just the six years stated in court. First imprisoned on a criminal charge, he was then given an additional term for "anti-Soviet agitation and propaganda". Anisimov has a serious stomach ailment, probably ulcers. Landa has read letters from Anisimov describing his poor physical condition and bad prison food. She knows from the letters that the prison authorities had considered freeing him early because of ill health, but that a court ruled against it since he had taken part in "anti-Soviet activities"?!

Neither the prosecutor nor the judge asked Anisimov about his health or about conditions in prison hospitals. It was obvious that Orlov had nothing but pity for this emaciated, pathetic man. Landa says that Anisimov's physical appearance was evidence enough of the inhumane treatment he had received in Vladimir Prison.

Witness Dovganich, a prisoner from Perm Strict Regimen Camp No. 36, stated that prison conditions were good; that linen is changed weekly; that inmates are shown films several times a week; that there is a recreation room; that the barracks are spacious; that prisoners may buy butter, jam, wafers, candy, cookies and biscuits at the prison store. Dovganich said that there was trouble between two groups of prisoners -- the older prisoners vs. young troublemakers such as Gluzman, the Zalmanson brothers, Altman, etc. (all Jews--Ed.). When the prosecution attorney asked to what

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* (Landa, who does not live in Moscow, is frequently detained by the Moscow police and then released--Ed.)

Dovganich attributed this unpleasantness, the judge had the question withdrawn. Orlov asked Dovganich for what crimes he was imprisoned. Dovganich answered "anti-Soviet agitation and propaganda" and currency speculation.

Landa observes that Dovganich's testimony in no way disproves the existence of inhumane living conditions of prisoners. She notes that Dovganich neglected to mention that access to prison stores is quite restricted: prisoners in special and strict regimen camps may buy only five rubles worth of goods per month (four in general regimen camps, and two or three in prison); the goods they may purchase are limited to a few essential food items; and, the right to use the prison store is often denied as a form of punishment.

As to his statement about linen changes, Dovganich did not mention that a prisoner in an isolation cell has neither bedsheets nor outer clothing. At night, the prisoner in such a cell must either sit or lie on the bare boards of his cot.

Landa offers the following explanation of why conflicts exist among groups of prisoners: in special regimen labor camps for "especially dangerous political offenders", there are political prisoners; people who failed in their attempts to escape to the West, and former partisans from the national liberation movements in the Ukrainian and Baltic Republics who were active during and immediately after World War II (many of whom have already served 20-25 years in confinement). In addition to them, there are a few spies (a rarity) and Nazi collaborators. The authorities recruit the latter, and amoral, weak persons and hardened criminals, as stool pigeons and provocateurs. However, their attempts to create dissension among prisoners by fanning national and racial hatreds have usually been unsuccessful. "Old" inmates, especially the former partisans, often sympathize with the younger activists and sometimes join in protests. The authorities and stoolies often accuse these "old-timers" of having "sold out to Jews". Landa asserts that Jewish prisoners do not instigate conflicts, but are victims of provocation and unfair punishment.

The authorities sometimes use bribery to get what they want. Dovganich was allowed to receive a generous food package after he testified against Orlov.

Orlov requested that Ukrainian Helsinki Group Member Nina Strokata-Karavanska, a former prisoner of conscience released in December 1975 who is presently living under administrative surveillance, be allowed to testify in his defense. Strokata is married to POC Svyatoslav Karavansky, who spent 30 years of his life in prisons and labor camps. In 1965, Karavansky was confined in Vladimir Prison. Subsequently, he was sent to a special regimen labor camp in Mordovia.

Likewise, former POC's now living in the West, such as Vladimir Bukovsky, Kronid Lyubarsky, Iosif Meshener, David Chernoglaz, Lev Yagman, and others, could have been eloquent defense witnesses for Orlov.

The witnesses Lyubarskaya and Blokhina, physicians at the Dnepropetrovsk Special Psychiatric Hospital, were questioned about Orlov's writings in 1975 on Leonid Plyushch. Plyushch was arrested in January 1972 and charged with "anti-Soviet agitation and propaganda" for his samizdat writings and membership in the Initiative Group for the Defense of Human Rights in the USSR. Plyushch, a healthy man, was forcibly committed to Dnepropetrovsk on the approval of Dr. Snezhnevsky*. From August 1973 through January 1976, he was given injections and medications by the hospital staff which severely debilitated him mentally and physically.

Lyubarskaya, who had "treated" Plyushch, testified that on dismissal from her hospital, he was healthy, but she maintained that the original diagnosis -- continuous schizophrenia of the sluggish subtype -- had been correct. Blokhina, the head doctor at Dnepropetrovsk, supported Lyubarskaya's testimony.

As Landa points out, Plyushch owes his release in January 1976 to the combined efforts of Soviet human rights activists and concerned individuals and organizations abroad, not to recovery from a non-existent mental illness.

Lyubarskaya had also testified at the trial of human rights activist Sergei Kovalev in December 1975. On that occasion, she stated that conditions at Dnepropetrovsk were good and that Plyushch's severe mental illness required his continued forced treatment.(It was obvious that Lyubarskaya had not yet been informed that the authorities planned to release Plyushch within the next month). Up until the last day of his confinement, the head doctor at the hospital, Blokhina, maintained that Plyushch was mentally ill and in need of treatment. Testifying at the Orlov trial, however, she took the opposite point of view. Psychiatrist Snezhnevsky was to have testified at the Orlov trial but he did not appear.

Orlov asked that Mrs. Plyushch, who now resides with her husband in France, be called as a witness for his defense; his request was denied.

Supplement No. 6

On December 7, 1977, Sergei Kovalev** sent letters through the prison mails to the Procuracy in Moscow, to the KGB, to the Procurator of Kaluga Province, and to the Ukrainian KGB of Kaluga Province, asking that he be allowed to appear as a defense witness at the Orlov and Ginzburg trials. He based his request on the fact that in February 1977, many prisoners from Perm labor camps No. 25 and 36 were interrogated about Orlov and

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* (Snezhnevsky, Andrei, founder and head of the "Moscow School" of psychiatry, who has been chief defender against Western charges of psychiatric abuse--Ed.)

** (Professor-biologist and human rights activist, Kovalev was a member of the Initiative Group for the Defense of Human Rights in the USSR. Arrested in late 1974 and tried in December 1975 on charges of "anti-Soviet agitation and propaganda". He was sentenced to seven years in strict regimen labor camp plus three years of internal exile. Kovalev has been serving his term in Uralsky Labor Camp No. 36. In May 1976, he was transferred to the prison within the labor camp for six months --Ed.)

Ginzburg and that prisoners M. Sado and Zeitunyan were transported for that purpose to Perm and Kaluga. Kovalev intended to:

1. Give character references for Orlov and Ginzburg;

2. testify on conditions in political labor camps in general; and

3. relate concrete examples of the inhumane treatment accorded prisoners in correctional institutions in the USSR.

Kovalev felt that his testimony would insure Orlov and Ginzburg a fair defense. The fact that Kovalev was not allowed to appear in court further indicates that the judge was not really interested in establishing the facts of the case and that higher authorities had already determined, in advance of the trials, the guilt of Orlov and Ginzburg.

By the end of December 1977, the Kaluga Procuracy informed Kovalev that his request had been forwarded to the Investigative Department of the Ukrainian KGB. On January 12, 1978, Senior Investigator of the Ukrainian KGB, Saushkin, advised him (Issue No. 26.253) that his testimony was not needed in the Ginzburg case. Then, Commissioner of the Skalninsky KGB (Chusovsky region), Chepkasov, wrote to Kovalev informing him that his testimony was not relevant.

Supplement No. 7

The Helsinki Group Documents on violations of the rights of Soviet political prisoners, written between the spring and winter of 1976, were used to incriminate Yuri Orlov. Such conditions presently continue to exist.

In Supplement No. 7, Landa relates the experiences of two seriously ill prisoners in Perm Camp No. 36, Mikhail Slobodyan and Ivan Svetlichny. Landa accuses the camp's doctors Sheliya*, Chepkasova, Petrov and Yuzhakov, of professional irresponsibility and deliberate malpractice in their treatment of these two men.

Slobodyan, who suffers from bleeding ulcers, was hospitalized in late 1977 with severe hemorrhaging, anemia, extreme exhaustion and abnormal sweating. After he was dismissed from the hospital, his condition continued to be poor, and his relatives tried unsuccessfully to obtain permission from the camp authorities to send him a food package, in the hope that a more nutritious diet might improve his health. By January 1978, his condition had deteriorated to the point that he could not fulfill his work norms. Instead of re-hospitalizing Slobodyan, the authorities placed him in an isolation cell as punishment for poor work efficiency.

Fearing for Slobodyan's life, fellow prisoners declared a hunger strike and refused to work until he was examined by medical specialists. To restore order in the camp, specialists were called in on March 16, 1978. However, the specialists decided not to send Slobodyan outside the camp for medical treatment. On March 20 and 23, Slobodyan was again punished -- although less severely than before -- for non-fulfillment of work norms. Only on March 29, after the pain in his stomach became intolerable, was Slobodyan admitted to the camp hospital.

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* (figured as a prosecution witness at the Orlov trial--Ed.)

Svetlichny suffers from hypertonia, severe headaches, and circulatory disorders including oxygen deficiency of the brain. On January 22, 1978, he fell ill with jaundice. Only the repeated appeals of Svetlichny and two other prisoners, Sergei Kovalev and Igor Kalinets, induced Dr. Yuzhakov to examine him. Finally, on January 25, Svetlichny was released from work. On the 27th, he was admitted to the isolation ward of the camp hospital; on the 30th, he was examined by specialists from Chusova and diagnosed as having Botkins disease (serum jaundice) contracted from poorly sterilized medical instruments.

Political prisoners Basarab and Ismagilov also contracted Botkins disease when they were sent to Perm Camp Central Hospital -- managed by Dr. Sheliya -- for treatment.

The following human rights violations have occurred in Perm Camp No. 36 from January through March 1978:

1. Prisoners have been punished for exercising their right to send letters of complaint about their treatment to Soviet officials (i.e. Sorokina).

2. Prisoners were punished for transmitting information about inhumane camp conditions (i.e. Mukhamedshin).

3. The prisoners' right to privacy in their personal correspondence was violated (i.e. Sergienko).

4. Conditions in the camp endanger the health of the inmates. Prisoners are forced to work when seriously ill, and are threatened with punishment for non-fulfillment of their work norms if they do not do so (i.e. Slobodyan -- placed in an isolation cell; Demidov -- his right to purchase goods in the camp store was suspended).

5. False information is recorded on prisoners' medical charts (i.e. Slobodyan). Prisoners are often victims of medical malpractice (i.e. Svetlichny, Basarab, Ismagilov).

6. The camp authorities have infringed on the prisoners' right to practice religion (i.e. Kovalev and ten others were punished for celebrating Christmas).

On the Trials of Vladimir Slepak and Ida Nudel

Document No. 54

In opposite ends of Moscow and in almost completely closed courtrooms, Vladimir Slepak and Ida Nudel were sentenced on June 21, 1978 to five and four years in internal exile, respectively, on patently false and absurd charges of malicious hooliganism. The authorities chose their victims carefully. Both of the accused were leading members of the Jewish emigration movement. In addition, Vladimir Slepak is an active member of the Moscow Helsinki Group, and Ida Nudel is well-known for her self-sacrificing work with prisoners of conscience. Vladimir Slepak has been seeking permission to emigrate since 1970, and Ida Nudel since 1971. Added to those bitter years, there will now be long years of internal exile. In this way, the authorities are hoping to get rid of those seeking to exercise their right to emigrate.

On May 18, a similarly closed court sentenced the scientist, Professor Yuri Orlov, to seven years of labor camp and five years in exile. We are not citing this disgusting reprisal against Professor Orlov as a standard for comparison: greater evil does not justify lesser evil, and the civilized world does not recognize such a thing as "degrees of lawlessness". All three sentences are flagrantly arbitrary, and in addition, are violations of the Helsinki Final Act. Rather, we alert the 35 signatory states that the prosecution and sentencing of Slepak, Nudel and Orlov signal the virtual emasculation of the humanitarian provisions of the Accords in the U.S.S.R.

June 26, 1978

Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Malva Landa
Naum Meiman
Viktor Nekipelov
Tatyana Osipova

To the International Olympic Committee President, Lord M. Killanin

Document No. 55

Mr. President, Ladies and Gentlemen,

Things are going on in the USSR which you cannot ignore. People whose activity was of a purely humanitarian nature (members of the Soviet Helsinki Groups and other human rights activists) have been arrested and convicted. The country which is to host the 1980 Olympics scorns universal standards of human rights as well as international obligations.

It is already evident that the atmosphere of the Moscow Olympics will be substantially different from that of preceding Olympic Games. The number of visitors to the Games has been restricted by advance agreement with the International Olympic Committee. Furthermore, since entrance into the USSR is controlled, then obviously, the mass influx of tourists and sports fans from various countries which has characterized earlier Games will not be permitted. The cultural program of the 1980 Olympics, controlled by the Soviet censors, will be limited to highlighting Soviet national achievements. The movement of foreign guests about the country will be predetermined by "corridors" under the aegis of "Intourist". Such is the nature of a closed society. But how does one reconcile all this with the idea of international trust proclaimed in the Olympic charter?

Your agreement to hold the 22nd Olympics under conditions imposed by the USSR, your "Olympic serenity" about what is going on in the USSR, blots out the wonderful words of the Olympic charter. "Sport is separate from politics"- such is the wise Olympic principle. And just as separate from politics -- and, in fact, above politics -- are the fundamental humanitarian issues which are essential elements of the Olympic movement. Today, your silence constitutes direct support for the policies outlined above.

The USSR attaches great propaganda significance to the upcoming Olympic Games. Obviously, the Soviet authorities want to make Moscow in 1980 a city of official smiles; the process of "cleansing" Moscow from dissidents has already begun and one can expect a broadening of that campaign. We ask you not to allow this. Not one family should have to mourn the Olympics.

We, just as you, attach great significance to the Olympics in our country as an important event which could foster friendship and mutual understanding among the peoples of our planet, as it aids international trust and security. But the Olympics can play this lofty role only if Olympic principles are strictly followed.

We call upon you not to compromise those principles in the XXII Olympiad and to ensure the same level of cultural exchange, contacts among people, and unimpeded movement of people in the host country as has been attained during previous Games.

In antiquity, wars were halted during the Olympic Games. Today, in the USSR, a war is being waged against humanism and mercy. We call upon you to demand a "ceasefire" as a necessary condition for the Olympic Games to be held in the Soviet Union. We implore you to demand that repressions against the non-violent defenders of human rights, of religious freedom, of the right to emigrate and of the right to choose one's residence within one's country, be halted. We call on you to demand that the country which is hosting the Olympic Games release Yuri Orlov, Aleksandr Ginzburg, Anatoly Shcharansky, Vladimir Slepak, Lev Lukyanenko, Viktoras Petkus, Aleksandr Podrabinek, and all the other imprisoned members of the Soviet Helsinki Groups; Sergei Kovalev, Igor Ogurtsov, Georgy Vins, Vladimir Shelkov, Vasily Romanyuk, Ida Nudel, Iosif Begun, as well as all those who have been sentenced for attempting to leave the country. We appeal to you to demand the release of all Prisoners of Conscience.

We call upon you to make this letter known to the national Olympic Committees and the sports associations in various countries so that each participant in the upcoming Olympics can express his attitude to the issues presented here.

June 26, 1978

Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Malva Landa
Naum Meiman
Viktor Nekipelov
Tatyana Osipova

The following people are in complete agreement with this letter of the Moscow Helsinki Group:

Boris Altshuller
Tatyana Velikanova
Andrei Sakharov
Larisa Bogoraz
Georgy Vladimov

On the Trials of Anatoly Shcharansky, Aleksandr Ginzburg and Viktoras Petkus

Document No. 56

Cruel sentences have been meted out in rapid succession to members of the Helsinki Groups. These sentences are not only personal tragedies for those condemned, but are a severe blow to the Soviet human rights struggle as well. A few days ago, cruel new sentences rang out: Anatoly Shcharansky got a 13 year term: three years in prison and ten years of strict regimen camp; Viktoras Petkus will serve ten years of imprisonment: three years in prison and seven years in special regimen camp, plus five years of internal exile; and Aleksandr Ginzburg will spend eight years in a special regimen camp.

The trials were held from July 10 through July 14, 1978. Anatoly Shcharansky was tried in Moscow, Viktoras Petkus in Vilnius and Aleksandr Ginzburg in Kaluga. These three trials were designed to exert cruel and forceful pressure on the human rights movement in the Soviet Union, in particular, the movement for the observance of the humanitarian obligations undertaken by governments at Helsinki. These trials were calculated to morally discredit this movement and its participants.

Furthermore, each of these trials had its own special target:

-- Shcharansky's trial was intended to foster a hysterical atmosphere of spy mania around the struggle for the right to emigration, and to intimidate its participants, especially Jews, with extreme measures of punishment;

-- Viktoras Petkus' trial was intended to discredit the non-violent national liberation movement in the Baltic countries and to intimidate the entire population of these countries; and

-- Ginzburg's trial was intended to slander the very concept of helping people persecuted by the government, political prisoners and their families, and as a threat both to those giving and receiving aid.

Anatoly Shcharansky is one of the most respected activists in the struggle for the right of Jews to emigrate to Israel and in general for the right to emigrate regardless of nationality, religious belief, etc. Along with charges of so-called "anti-Soviet agitation and propaganda", unfounded and absurd charges of espionage and treason were declared against Shcharansky. All this contrived to create a particularly tense atmosphere of hostility and suspicion. Reporting in the Soviet press, on radio and television, linked Shcharansky's trial to that of Filatov, accused of espionage and sentenced to be shot. Filatov, however, has no connection either to Shcharansky or to the human rights movement.

The severity of the espionage charges against Shcharansky is untenable in the face of the absurd and vague evidence against him. In general, the episodes incriminating him are not illegal. The court paid undue attention to such trivial questions as, for example, whether or not Shcharansky' marriage is valid under Judaic law. The two main episodes incriminating Shcharansky in espionage were his compiling a list of "refuseniks" -- people who have long been attempting to emigrate and have been refused permission -- and sending this list abroad, and a certain secret questionnaire, of which Shcharansky learned only after his arrest. The accusation against Shcharansky is based entirely on the evidence of the provocateurs Lipavsky and Tsipin. Their false testimony the court held to be more convincing than the reliable public statements by President Carter that Shcharansky had no connection at all with the CIA. In his speech, the procurator could not present any proof of the crimes attributed to Shcharansky. The court repeatedly mentioned that Shcharansky had met with foreign correspondents, American senators, Congressmen, and other prominent people -- all absolutely legal meetings. The attempt to use such meetings for these charges completely contradicts both the letter and spirit of the Helsinki Final Act.

Shcharansky's trial is a contemporary version of the Dreyfus trial. The difference is that Dreyfus had real possibilities for defense, something which Shcharansky completely lacks. More than anything, Shcharansky's criminal trial is a blow at the emigration movement, especially the Jewish part of this movement; it is also yet another attempt to discredit the Jewish people as a whole.

Viktoras Petkus is a well-known participant in the Lithuanian Catholic Youth Movement, for which he spent 16 years in imprisonment. He is a figure of undisputable moral authority. Along with charges of "anti-Soviet agitation and propaganda", and the creation of an "anti-Soviet organization", Petkus faced charges of homosexuality and the corruption of minors. The only witness for the last two charges was a soldier who, appearing in court under guard, testified that V. Petkus supposedly had seduced him in 1973. In view of the intensive surveillance of Petkus from the moment he was released from camp, it is obvious that if such an episode had ever really occurred, Petkus would have been arrested on purely criminal charges five years ago.

Obviously, the main purpose of this trial was to discredit the peaceful national liberation movement in Lithuania, Latvia, and Estonia. Dissidents from each of these republics were summoned to testify at the trial in order to create the proper effect and atmosphere, and to threaten repressive measures for all participants and sympathizers in this movement. Most of these people did not, in fact, testify.

During the trial of Aleksandr Ginzburg, the court devoted much time and attention to slandering the character of the defendant, other "dissidents" -- mostly political prisoners -- and former prisoners of conscience. Aleksandr Ginzburg, a former prisoner of conscience, has spent seven years in detention in strict regimen camps and prison for his attempts to exercise freedom of speech and the press. He is a well-known highly-respected Soviet human rights activist, and administrator of the Public Fund for the Aid of Political Prisoners and their Families established by Nobel Prize for Literature Laureate, Solzhenitsyn. In this latter capacity, Ginzburg had distributed material assistance over the last few years before his most recent arrest.

Ginzburg was formally charged under the article on "anti-Soviet agitation and propaganda". For this purpose, the court had as its major witness a certain Gradoboyev, a man with a record of 12 years in camps for such crimes as theft, forgery of documents and pornography. The court spent several hours listening to the moral pronouncements of Gradoboyev, the alcoholic Ivanov, and a degraded and frightened artist from Tarusa, Khvoshchev. The procurator and judge wanted to know whether women had ever visited Ginzburg's house, how many beds were in his room, etc. The false testimony of a certain Lavashov that "Ginzburg was unemployed" could easily have been discredited by available documents. Nevertheless, this accusation was repeated in the list of formal charges against Ginzburg.

As part of the campaign to slander Ginzburg, Sidorkov, the chairman of the court, told Western correspondents outside the courtroom that Aleksandr Ginzburg had not received the maximum term under Article 70.2 of the RSFSR Criminal Code because he had testified against A. Shcharansky and Yuri Orlov. Nevertheless, the judgement against Ginzburg did not mention the fact of cooperation, although by law such cooperation must be noted if, in fact, it has occurred. The judgement did note that, in determining the length of Ginzburg's term, the court took into consideration the fact that he is the sole support of two children. However, the attention Ginzburg's trial has received in the West is probably the true reason behind the relatively "light" sentence which he received. Nevertheless, due to Ginzburg's frail state of health, even the sentence he received can have fatal consequences for him.

One must also note that any witnesses who gave evidence which the procuracy found displeasing during the preliminary investigation of the Shcharansky and Ginzburg cases were neither summoned nor even allowed into the courtroom. Those who expressed a desire to testify for the defense never received a summons. Thus, Academician Andrei Sakharov, a close friend of Ginzburg, failed to receive a summons; nor did S.M. Polikanov, Corresponding Member of the Soviet Academy of Sciences; the well-known writer, Georgi Vladimov; the famous human rights activist and prisoner of conscience, Sergei Kovalev; close friend and co-worker, Vera Lashkova; and many others who had insisted on their right to testify for Aleksandr Ginzburg and in support of the veracity of the documents used to incriminate him, in particular, those of the Moscow Helsinki Group.

One must note that the authorities created a special atmosphere in the courtroom and its environs. In the hall, there was a select audience (admitted only with a special pass!), a particularly hostile "public" which was permitted (evidently even encouraged) to make open attacks on the defendant. Hundreds of KGB agents and militia surrounded the courthouse, protecting it from the defendant's friends who had come there. Some of these guards were in uniform, some wore the red armbands of the people's militia, and others were in civilian clothes. Repeatedly these men brazenly revealed their contemptuous attitude to the defendant and to those people who showed sympathy by coming to the courthouse. None of the friends and sympathizers was admitted to the so-called "open" court session, even when the sentence was being read. There were acts of additional sadism; Shcharansky's 70-year-old mother was never allowed into the courtroom during his trial; during the second day of Aleksandr Ginzburg's trial, his wife was expelled from the courtroom and was never readmitted. The KGB and the assembled "people" maliciously jeered at the wife of the sentenced defendant. Laughter, hoots and threats drowned out friends' greetings to the sentenced man as he was being driven off in a Black Maria.

During the Belgrade Conference, it became crystal clear that the Soviet Union considers itself obliged to observe only those provisions of the Helsinki Final Act which are to its advantage, openly violating the humanitarian sections of this document.

Now, only a few months after Belgrade, persecution against all the diverse elements in the human rights movement in the USSR has reached its tragic culmination.

We appeal to governments and the heads of all signatory states of the Helsinki Final Act to demand that the Soviet Union fulfill the obligations it voluntarily undertook at Helsinki.

We thank all those who have come to the defense of Anatoly Shcharansky, Aleksandr Ginzburg, Viktoras Petkus, Yuri Orlov, and other human rights activists who are already sentenced or who are under arrest and awaiting trial. We ask that you not slacken your efforts in their defense.

July 15, 1978

Moscow Helsinki Group.

Elena Bonner
Sofya Kalistratova
Malva Landa
Naum Meiman
Viktor Nekipelov
Tatyana Osipova
Sergei Polikanov

Lithuanian Helsinki Group:

Ona Lukauskaite-Poskiene
Father Karolis Garuckas
Eitan Finkelshtein

Georgian Helsinki Group:

Isai Goldshtein

The Christian Committee to Defend the Rights of Believers:

Father Gleb Yakunin

The Working Commission for the Investigation of the Abuse of Psychiatry for Political Purposes:

Leonard Ternovsky

The Initiative Group to Defend Human Rights in the USSR:

Tatyana Velikanova

The Soviet Chapter of Amnesty International:

Georgi Vladimov

(In the future, descriptions of the trials of A. Gunzburg, A. Shcharansky, and V. Petkus will be append to this document).

Document 57

The Orlov and Slepak Cases on Appeal

The appeals courts have upheld the illegal sentences meted out to Moscow Helsinki Group members, Yuri Orlov and Vladimir Slepak.

On July 8, the RSFSR Supreme Court considered the appeal of Yuri Orlov, founder and leader of the Moscow Helsinki Group, who was charged with "anti-Soviet agitation and propaganda." No one presented Orlov's case -- he was not even allowed into the court -- only portions of his appeal were read. Orlov pointed out major violations of legal procedure during his trial. Almost all of his statements and petitions to the court, particularly on the court's refusal to summon witnesses of his choice, had been rejected. The contents of documents labelled "anti-Soviet slander" -- found to incriminate him -- had not been analysed. The judge frequently disallowed his questions to the witnesses and rudely interrupted him and his lawyer, thereby not allowing him to make his point. The investigation was conducted in a blatantly prejudiced way.

The Supreme Court upheld Yuri Orlov's sentence: a seven-year term of imprisonment in a strict regimen camp plus five years of exile.

On July 20, the Moscow City Court considered the appeal of Vladimir Slepak, well-known participant in the Jewish emigration movement, active member of the Moscow Helsinki Group, who was charged with "malicious hooliganism." The court upheld this charge since Slepak, standing on the balcony of his apartment, had held a poster requesting permission for him and his family to emigrate to Israel.

Where and when have such actions been deemed to be crimes?

The Moscow City Court upheld Vladimir Slepak's sentence: five years exile. (Vladimir Slepak is presently in jail and will be convoyed under guard to his place of exile.)

Ida Nudel, a well-known activist in the Jewish emigration movement who has done much to help those unjustly persecuted -- Jews and non-Jews -- was convicted for the same action as Slepak. She decided not to participate in such a farce as the Soviet appeals court. (At the moment, ill with stomach ulcers, she is on her way to exile.)

Such appeal court decisions upholding the blatantly illegal and unjust sentencing of Yuri Orlov, Vladimir Slepak, and Ida Nudel confirm that such decisions actually are made by higher levels of the Soviet bureaucracy.

July 20, 1978

Moscow Helsinki Group

E. Bonner
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Document No. 58

Ten Years Later

More than ten years ago, many Soviet citizens learned about the Czechoslovak Spring with surprise and hope.

At first, the brief reports in Soviet newspaper did not provide an understanding as to what was happening. One could only surmise that that the events in this small country with an advanced culture were not pleasing to Soviet authorities. Later, it became clear that a reformation in human relations, based on new, liberal standards, had had actually been initiated in Czechoslovakia. One thing was beyond dispute: the citizens of that nation no longer wished to live as they had before, (that) they were actively, unhindered by authorities, searching for new forms of social self-organization. There was transpiring a spiritual rebirth of a nation that had been subjected to twenty years of Sovietization.

There arose hopes that liberalization in Czechoslovakia would engender similar processes in other Soviet bloc states, even liberalization in our country.

The Soviet troops and tanks that invaded Czechoslovakia on August 21, 1968 crushed the nascent freedom of that country, along with our freedom, to the accompaniment of high-sounding pronouncements about "brother aid", "international obligations", and so forth.

In our country, seven persons dared to openly appear on Red Square and declare their protest: "Hands off Czechoslovakia!" "Your freedom is our freedom!" The weight of the state security apparatus and police force was thrown against this handful of demonstrators.

Red Square was immediately cleared of persons and slogans that did not conform to Soviet state policy. Then followed harsh legal measures: years of exile, prison camps, special psychiatric facilities.

Moscow cancelled out the liberalization of the CSSR by force of arms. It seemed that everyone and everything had been hopelessly stifled, crushed. Yet resistance continued. "Charter-77" has shown that the Czechoslovak people have not been broken, have not lost the will to resist, the will to defend their rights and freedoms. One out of (every) thousand has put his signature to the Charter. This is a huge percentage, given a regime that punishes the slightest ideological nonconformity.

We desire that the human rights movement in Czechoslovakia will endure its trials and will acquire even greater support both within the nation, and outside its borders.

The liberal movement in Czechoslovakia and the Soviet Union has a good deal in common. It is not political in the strict sense of the word. It has no formal organization or program. It does not reflect the interests of any particular segment of society, and, in reality, it expresses the interest of each person who recognizes the necessity for basic rights and freedoms as part of a worth-while existence of the individual and a nation.

The repressive character of the Soviet regime has not changed following the signing of the Helsinki Accords. The human rights movement, bouyed by the humanitarian provisions of the Accords, is being repressed, rooted out, and in a particularly pointed manner. The determined efforts to hide the truth and discredit this movement, (the willingness) to stoop to dirty tricks, reflects the moral level of the defenders of Soviet "order", and their fear of the spread of liberal attitudes.

For your freedom and ours!

Moscow Group to Monitor Compliance with the Helsinki Accords:

Elena Bonner, Sofia Kalistratova
Naum Meiman, Malva Landa,
Viktor Nekipelov, Tatyana Osipova
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In support:

Vyacheslav Bakhmin, Yuri Yarym-Agaev, Leonard Ternovsky, Tatyana Velikanova, Irina Zholkovskaya, Nataliya Buzyreva-Fedorova, Aleksandra Polikanova, Yuri Gastev, Aleksandr Lavut, Reshat Dzhemilev, Mustafa Dzhemilev, Raisa Lert, Petr Egidas, Yuri Grimm, Tatyana Lavut, Yuliya Zaks, Olga Iofe, Irina Orlova, Valery Prokhorov, Avgusta Romanova, Vera Serebrova, Sergei Khodorovich, Nadezhda Shatunovskaya, Vadim Shcheglov, Fr. Gleb Yakunin, Viktor Kapitanchuk, Lyudmila Agapova, Boris Altshuler, Aleksandr Ivanchenko, Mikhail Kukobaka, Dmitry Mikheev, Grigory Tokayuk, Nina Strokatova,

Document 59

The Trial of Levko Lukyanenko, Ukrainian Helsinki Group Member

Basically, Levko Lukyanenko's trial was similar to those of Yu. Orlov, A. Ginzburg, V. Petkus, and A. Shcharansky. Their trials ended a few days before Lukyanenko's trial described in Moscow Helsinki Group July 15, 1978 Document 56. His trial is also similar to the trials of convicted members of the Ukrainian Helsinki Group, M. Rudenko, O. Tykhy, M. Matusevych, M. Marynovych and P. Vins. It is also like the trial of the Lithuanian human rights activist, Balys Gajauskas convicted in April of this year, and of other human rights activists.

The trial of Levko Lukyanenko, who was charged with "anti-Soviet agitation and propaganda" occurred from July 18-22 in the city of Gorodnya, Ukraine. Lukyanenko was implicated by his articles and open letters and by Ukrainian Helsinki Group documents summarily defined as "anti-Soviet slander" and "bourgeois-nationalist slander".

During the trial, it was also mentioned that Lukyanenko had sent three articles to official Soviet newspapers and journals and to "various other places" and to "those who feel as he does" (that is, friends and acquaintances with whom Lukyanenko had been corresponding). The indictment also stated that these materials "made their way to the West" and "are employed by our enemies" as "imperialist propaganda", "for spreading slander" that in the U.S.S.R. "there is no freedom of speech and press," "the rights of citizens are violated," "believers are not equal under the law," "the Helsinki Accords are not being observed". The indictment claimed that the materials found incriminating "libel the political and social system of the U.S.S.R., the Soviet Communist Party, the organs of Soviet authority, and the Soviet legal system" and were used "to carry out provocations against the U.S.S.R.," "to subvert national unity," etc. Lukyanenko was also held criminally accountable for "joining the so-called Ukrainian Helsinki Group."

We point out that in the indictments of Yu. Orlov, A. Ginzburg, and A. Shcharansky, whose trials occurred in or near Moscow, the "Helsinki Group" is not generally mentioned. Although Group documents are presented as criminal evidence, they are not identified as such. In general, the court pretends that the Group does not exist.

Here is an approximate list of the materials found to incriminate Lukyanenko:

Ukrainian Helsinki Group documents: the Group declaration, eight Group memoranda, the Human Rights Movement Manifesto, "An Appeal to the Belgrade Conference."

Materials written by L. Lukyanenko: "The Year of Freedom," "An Open Letter to Kiev University Professor Ruban" (sent to the "Literary Gazette"), "Problems of Dissent", a statement to the Supreme Soviet Presidium which requests permission to emigrate from the Soviet Union, a letter to the Soviet Council of Ministers, "An Open Letter to Metropolitan Filaret," "A Letter to Inveterate Atheists," an article "Stop the Crooked Trial."

Lukyanenko is also charged with his verbal statements in private conversations, defined by the court as slanderous and anti-Soviet. Five or six people, his former co-workers, were called to the stand to testify on Lukyanenko's statements and his "behavior." Lukyanenko, a lawyer, had been working in his profession until his first arrest in 1961. After his release from imprisonment in 1976, he had to work as an electrician in a hospital at an almost minimum wage of 60 rubles a month.) These co-workers testified that Lukyanenko had refused to sign the Stockholm Appeal. A few of the witnesses got confused and referred to the Appeal as "Helsinki." (The collection of signatures on the Stockholm Appeal was ordered by the Soviet authorities.) They also testified that Lukyanenko had not participated in "civic life" (as officially defined) and he had not joined in official demonstrations.

In his statement for the prosecution, the state prosecutor also touched upon "demonstrations," in his words Lukyanenko had "committed slander" by saying that holiday demonstrations were obligatory.

Levko Lukyanenko's wife, called to the stand as a witness, said in an appeal to the judge and prosecutor that the Helsinki Act is a provocation for such naive persons in the U.S.S.R. as her husband.

The prosecutor read his statement for about one hour. His speech resembled a political lecture. He demanded that L. Lukyanenko be sentenced to the maximum term for the article in question: ten years imprisonment in a special regimen camp plus five years internal exile (Art. 62, pt. 2, Criminal Code, Ukrainian SSR or Art. 70, pt. 2, RSFSR Criminal Code.)

Levko Lukyanenko's trial, as has been true in the case of other human rights activists, was marked by several violations of legal procedure. In particular, the public aspect of the judicial procedure was not observed. Illegal measures were taken so as to complicate and prevent the arrival of people who wished to attend the trial.

The starting date and place of the trial were not announced. A certain witness from Lvov, having received almost on the eve of the trial, a summons to appear in court on the 19th, (it turned out that this was not the first but the second day of the trial), called a well-known human rights activist in Moscow to report this and the latter told some Western correspondents. Lukyanenko's relatives found out by listening to Western radio broadcasts that his trial was starting. They managed to get to the courtroom a few hours late.

The city of Gorodnya, in which the trial took place, is fifty kilometers from Chernigov and two hundred kilometers from Kiev. Lukyanenko lived in Chernigov until his arrest (without the right to leave its territory.) Most of the witnesses who were summoned lived in Chernigov or Kiev.

The buses going to Gorodnya on the day of the trial were stopped by the police long before they arrived. The passengers were made to disembark. Those on the way to the trial (or who were suspected of going there) and did not have the necessary documents, were not allowed to continue on. Halfway to Gorodnya from Kiev, 70-year-old Oksana Meshko, a founding member of the Ukrainian Helsinki Group, was turned back. A number of state security agents maintained watch near the court house. Only the wife and parents of Lukyanenko were allowed into the courtroom. The rest of the spectators were specially selected for the affair.

Levko Lukyanenko stated at the outset that he considered the trial illegal. He also protested that the trial was being held in Gorodnya and that his friends and colleagues from the Ukrainian Helsinki Group were not allowed to attend. He declared that he did not wish to be present at such a trial and he insisted that he be removed from the courtroom. He was kept there. He declared a hunger strike.

The materials found to incriminate Lukyanenko were not read aloud. There was no analysis of the text and no evidence presented for slander. Lukyanenko's insistent requests that certain documents be read aloud were not granted. In particular, he asked on several occasions that he be permitted to read his article, "Stop the Illegal Trial." Many witnesses had been asked about its dissemination.

Lukyanenko did not have a defense attorney. He made a three-to-four-hour speech in his own defense. The judge continuously interrupted him and refused him permission to read any of his texts, justifying this by saying the court was already familiar with them.

The court found Lukyanenko guilty, declaring him to be an especially dangerous residivist against the state. He was sentenced to ten years deprivation of freedom in a special regimen corrective labor camp to be followed by a five-year internal exile term.

Levko Lukyanenko is fifty years old. For fifteen years, from 1961 until 1976 he was imprisoned -- over half of this period he was in Vladimir prison and in camp internal prisons. In 1961, he was on death row three times, having been sentenced to the ultimate penalty. His health is very poor; he suffers from stomach ulcers, cholestitis and other illnesses. The new sentence -- and the conditions under which he will have to serve it -- may very well turn out to be fatal for him.

Lukyanenko's wife has waited fifteen years for him. They had less than two years together, in a very constrained fashion, under constant flagrant police surveillance and the hidden surveillance of the state security organs. During the upcoming ten-year period of suffering and deprivation, Lukyanenko and his wife will be able to have personal meetings no more than once a year ... if even this single meeting is not revoked as an extra means of punishment.

After his release in 1976, he was subjected to continuous persecution. He was deprived of the opportunity to live normally and to socialize. He could not move freely. He was deprived of the chance to do that which he felt himself called to do. Levko Lukyanenko, who is devoted to his homeland Ukraine with all his heart, applied for permission to leave his country. The authorities did not give him permission to emigrate, just as is true of many other Ukrainians, and former political prisoners.

His former prison-mates know Lukyanenko well. They praise him as a person who has honorably passed the most difficult of trials. He still possesses his high intellect, his lively, curious mind, his sense of humor and justice, kindness, empathy for others and sociability. Among those who came to know Levko Lukyanenko he enjoys great moral stature.

In 1961, the "especially dangerous anti-state crime" of which L. Lukyanenko and several of his friends were convicted consisted of attempting to achieve -- by peaceful, legal, constitutional methods -- self-determination for Ukraine. For this, they were charged with "treason against the homeland" and "anti-Soviet propaganda."

And now, the "especially dangerous anti-state crime" of the residivist Lukyanenko consists of the following: that he, on the basis of international agreements and pacts signed by the Soviet government, wrote or signed literary works and documents, containing information and opinions which did not conform with the ruling ideology.

The keepers of socialist order qualify these works as "slanderous" or "anti-Soviet slander" merely because they are ideologically non-conformist. These works are labelled as such because they contain information about facts and phenomena about which -- according to unwritten Soviet canons -- one is supposed to remain silent. Under the category of "anti-Soviet slander" according to Soviet terminology falls the truth about Soviet reality, contempt for the individual which is rooted in the regime, and inhumanity and cruelty.

Levko Lukyanenko's trial, the nature of the charges against him, the severe sentences meted out to him and the inhuman, cruel conditions in which he now must serve his sentence -- all of this is in glaring contradiction to international judicial standards, and also to the humanitarian section of the Helsinki accords.

We demand that Levko Lukyanenko's trial transcript, the indictment, the sentence, the court transcript be publicized. These materials should be made available to anyone who wants to see them. We demand that the same measures be taken about court records on the trials of other human rights activists. We demand also that the court records of Lukyanenko's 1961 trial be opened.

We demand that L. Lukyanenko's trial and those of other human rights activists be reviewed in the framework of total openness and on the basis of internationally recognized human rights.

We are convinced of the absolute illegality of the convicted Levko Lukyanenko and demand his release.

We ask for support for our demands from international public opinion. We ask for support of international jurists, Amnesty International, writers, scientists, sportsmen, independent labor unions and of all people of good will.

August 20, 1978

Moscow Helsinki Group:

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Document 61

On the Violation of the Right of Prisoners to Engage in Creative Activity

A number of scientists and artist are currently interned in the prisons and camps of the Soviet Union. Among them are physicist Yuri Orlov, biologists Sergei Kovalev, philosopher Evgeni Pronyuk, poet Mykola Rudenko, and others.

We will not speak here about the injustice of depriving these people of their freedom, of repressing them for the open expresson of their opinions -- an act which cannot be separated will we speak about the various aspects of human rights activity. Rather we turn attention to the intolerable conditions under which these people live.

The inadequate and non-nutritious diet ensures mere physical survival (see Document No. 3) and causes a weakening of memory and a reduction in creative potential. Heavy forced labor further aggravates this condition.

All prisoners' notes, drawings and artistic works are subjected to inspections, often in the absence of the owner. They are almost always confiscated. Prisoners are forbidden to possess drawing materials -- paints, brushes and even colored pencils. The confiscation of over 150 works by the talented Ukrainian artist Stefaniya Shabatura (Mordovian Camp ZhKh-385/3-4/) caused an outcry on the part of public opinion in 1976. In February or March of 1978, drawings (mostly portraits of relatives) by Yuli Rybakov were seized and burned as the artist watched. In May, the poetry of the well-known Ukrainian writer Mykola Rudenko was taken from him. This confiscation forced the seriously ill man to take the desperate step of declaring a hunger strike in protest. In Leningrad's 'Kresty' Prison, between January and March of 1977, Yulia Voznesenskaya's poetry manuscript was seized four times. Such confiscations are typical for people who have tried to send a book to the West. Paruiv Airikyan regularly has the manuscripts of his songs, poetry and prose confiscated. Notes and poetry by the philologist, poet and translator, Vasily Stus, have been repeatedly seized. In 1977, during the last year of his imprisonment, nearly 600 of his translations of Goethe, Baudelaire and Rilke were confiscated.

Personal notes and creative works are always confiscated before transfers. Before sending Yuri Orlov to Perm, the Lefortovo prison administration confiscated the scientific articles he had written while in prison. In Mordovian Camp #19, V. Lisovoi was carefully searched (under the supervison of KGB operative Chepkasov) before being transferred, and his work of many years -- a manuscript in Ukrainian of "A Philosophical Dictionary" -- was seized. Lisovoi, a Candidate of Philosophical Sciences, before his arrest, worked in the Institute of Philosophy of the Ukrainian Academy of Sciences.

Five notebooks of science fiction stories were confiscated from V. Abankin before his transfer from Vladimir Prison. The Prison Administration called the stories "tendentious" and "anti-Soviet."

The situation for scientific workers is particularly difficult. Since only the results of his labor is confiscated, a poet or an author can compose -- if only in his head -- but a scientist is deprived of any possibility of creative activity.

The Administration of the Perm and Mordovian political camps do not allow contact among prisoners of one camp or one brigade, and so they cannot organize scientific discussions or creative seminars in camp.

The strict regulation of correspondence (two letters a month in strict regimen camps; one, special regimen camps; and one letter every two months in Vladimir Prison's strict regimen) deprives prisoners of the opportunity to exchange scientific information even with their close relatives. Any such letters can be confiscated very simply. For this very reason, it is practically impossible to correspond with scientific and cultural colleagues -- even those in the Soviet Union. A scientist cannot publish his works in any national publications, much less foreign publications.

Camp and prision libraries are wretched and prisoners cannot make use of inter-library loan systems. We know of no other country where prisoners cannot be sent books and magazines: this restriction is one of the most absurd and cruel. Soviet prisoners can obtain literature only through book mail-order houses which, as a rule, do not carry the necessary publications and do not fill orders.

In camp, one is permitted to keep only five books in one's personal belongings -- the rest are put in storage. It is very difficult to subscribe to scientific and literary journals, particularly those published in non-Russian languages. In Vladimir prison, for example, it is forbidden to subscribe to Ukrainian periodicals, even such publications as "Perets" and "Drug Chitana" It is absolutely impossible to subscribe to foreign scientific journals in one's field. As a rule, books sent from abroad do not arrive. We know of only one instance of "liberalism." In May of 1977, the administration of Perm Camp #36 sent a book (containing the materials of a scientific symposium) to S. Kovalev from West Germany. In response to Kovalev's inquiry as to whether he would receive the book, the camp commandant, Zhuravkov, answered that it was not permitted since they did not know the contents of the book. Later, Kovalev was informed that the book had been sent to be translated so as to decide whether it could be given to him. As of March of 1978, the book still had not been given to the owner.

Such rigid and unjustified restrictions have one result. A scientist who, through the long years of his confinement, is deprived of the opportunity to receive scientific information as well as to engage in his own work, loses touch with the latest developments in modern science. As a result, he is professionally disqualified.

In this way, the conditions in Soviet camps and prisons cause added moral suffering. They violate article 15 of the International Covenant on Economic, Scientific and Cultural Rights:

"The States Parties to the present Covenant recognize the right of everyone:

"(a) to take part in cultural life;
"(b) to enjoy the benefits of scientific progress and its applications;
"(c) to benefit from the protecgion of the moral and material interests resulting from any scientific, literay or artistic production of which he is the author...etc."

We call attention to the fact that such rights (in Article 15) cannot be restricted.

October 30, 1978

Members of the Group:

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Document 62

Inhuman Conditions of Detention for Prisoners

Kirill Podrabinek's and Petr Vins' Lives at Risk

The conditions of detention of political prisoners were characterized in Moscow Group documents 3 and 17, published in June 1976 and January 1977. This topic was also reported in a series of other human rights documents, particularly in the appeals of the Initiative Group for the Defense of Human Rights in the USSR from 1966-1969 under the title "The Movement in Defense of Human Rights Continues" and others, in the "Chronicle of Current Events", which began publishing in 1968. These conditions continue to be inhuman and cruel to this very day. New instructions and orders are intended to be even more arduous; this is particularly so with regard to punishment of prisoners. (see attachment No. 3). Treatment has become even more harsh toward persons held for political reasons, regardless of the formal charges against them.

In this document, we call attention to the particularly cruel, debilitating and life-threatening "measures of persuasion" employed against Kirill Podrabinek and Petr Vins.

The attachments contain accounts of beatings of political prisoners by officers in a special regime camp. We point out certain specific characteristics of this camp - a hard labor prison for "especially dangerous state criminals", (and) "recidivists", where around 15 prisoners of conscience are serving their time, including Oleksa Tykhy (founding member of the Ukrainian Helsinki Group) and Balys Gajauskas who were sentenced in 1977-78; On 1 September they brought Aleksandr Ginsburg there, and Ukrainian Helsinki Group founding member Levko Lukyanenko is also supposed to be brought there.

We also note the extremely harsh conditions and inhuman treatment that prisoners suffer during the transit to places of confinement. The attachments contain descriptions of separate incidents during the transits of V. Slepak, Yu. Orlov, B. Rebrik, and others.

We would mention that officially permitted correspondence for many prisoners of conscience continues to be interfered with. Sergei Kovalev has been especially subjected to interference with his mail. (see attachment No. 4)

Kirill Podrabinek

Arrested at the close of 1977, and sentenced - on spurious and fabricated charges of possession of firearms - to 2.5 years deprivation of freedom in a general regime labor-reform colony (camp), in April of this year 25-year-old K. Podrabinek was remanded from prison (in the city of Elektrostal, Moscow Oblast) to his assigned penal facility; as of May 12 he has been in the criminal camp in the city of Tobolsk - ITK-16 or "facility 34/16 "D" - 2000 kilometers from Moscow. (Usually, persons convicted on such charges are placed in "facilities" located much closer to their former residence.)

We would mention that Kirill Podrabinek has been persecuted as a hostage - in order to blackmail his 24-year-old brother Aleksandr Podrabinek, who has been actively participating in the activities of the Working Commission for the Investigation of the Use of Psychiatry for Political Purposes and who wrote the book "Punitive Medicine", published in the West; The Commission's material and the book expose the abuse of psychiatry in the USSR. The authorities "suggested" to Al. Podrabinek that he and his relatives emigrate; should Podrabinek refuse - his brother Kirill was threatened with arrest.....Kirill Podrabinek is the author of the samizdat (and recently published abroad) essay "The Unfortunates" - on conditions of military service in the Soviet Army, written on the basis of his own experience. However, during the trial, neither this essay nor any of his other works were offered as evidence against him.

In his statement to the Moscow "Helsinki" Group, Kirill's father Pinkhos Podrabinek writes of the extremely cruel, life-threatening treatment meted out to K. Podrabinek in camp - the almost constant confinement in the ShIZO (isolation cell), and his transfer from camp to prison (!):

"...On August 26th of this year I arrived for our meeting. The head of ITK-16, Major Khvostov allowed me only a five-minute meeting, since at that moment he was serving a spell in the ShIZO. As a result of my conversation with Khvostov and subsequently with my son in Khvostov's presence, I learned the following:

Kirill reached ITK-16 on May 12. Shortly thereafter, he refused to do the strenuous work assigned to him on account of his health (a weak heart) For this, he was placed in the ShIZO for 15 days. He declared a hunger strike. After twelve days, they began force feeding with a pumping device (in total, Kirill maintained his hunger strike for over three weeks). He received another 15 days in the ShIZO for the hunger strike.

Upon his release to the outside area, Kirill went to the work at the job assigned him, one commensurate with his physical capabilities. While Khlostov was away on vacation, his replacement, Head of Regimen Glukhikh, put Kirill in the ShIZO again. The cause - anonymous messages (apparently concerning opinions that he had expressed) directed against him.

On July 23rd, on the basis of representations made by the administration of ITK-16, the Peoples Court of the city of Tobolsk tried his son. The judge was Konovalov, the prosecuting attorney, Solgireev, one of the peoples' assessors was Isakov. The evidence consisted of anonymous letters read by Captain Novoselov. Kirill was denied defense counsel. Upon ruling by the court that he "habitually violates the regimen established for the colony, and negatively influences other inmates", he was sentenced to be transferred to general regime prison conditions.

At the time that I met with Kirill, he had already been in the ShIZO for the fiftieth day in a row, and overall, three months out of less than four months' confinement at ITK-16. He will have to remain there until he is transferred to the prison, and no one knows when that will be.

Kirill has a pasty-pale appearance, he is worn out, extremely weak. They are killing him slowly by hunger and asphyxiation. I appeal to you to take any possible measures to deliver him from his grievous circumstances.

4.09.78 P. Podrabinek

We would note that the ShIZO - the punishment isolation cell in the camp (more precisely, in the camp's internal prison), is analogous to the isolation cell in a regular prison. A detailed description of an isolation cell and a ShIZO are presented in the Group's Document No. 3. Here, the inmate is subjected to torture by hunger and other physicial torments, among which are cold and the inability to enjoy anything approaching normal sleep, plus being forced to spend the great part of the time standing up, among other things. (the inmate is placed in the isolation cell in light cotton clothing, deprived of all bedding, including blanket and mattress; only a bare cot is provided for sleeping - boards bound with metal and only available for use at night, no more than 8 hours per day; the isolation cell is generally cold and damp; falling asleep in such conditions is almost impossible.) The inmate is also deprived of fresh air and light. Exercises periods are not granted for persons in the ShIZO or isolation cell. One may not smoke in the isolation cell, nor is one supposed to read or write (prior to placement in the isolation cell, the inmate is forced to change his clothes, subjected to a search that includes examination of all body aperatures, all forbidden objects are confiscated, including writing implements, such as pencil stubs, etc.)

The first letter from Kirill Podrabinek since his arrest was received in June. From this letter, we determined his whereabouts (address), and also that he had been deprived of his next meeting with his relatives. Through veiled wording, he managed to communicate about another punishment: "I will be writing infrequently" - which means, that he is being punished by not being allowed to write (and send) letters. Up until the present time, there have been no more letters from Kirill.

The camp commandant Major Khvostov explained to K. Podrabinek's father that Kirill had been punished and is being punished for "refusing to work and calling upon other inmates to do the same". During their meeting which lasted only five minutes, Kirill told his father that he had refused to do only the work that was too strenuous for him, but not work in general. (All the same, Kirill Podrabinek would have received the same punishment if he had not fulfilled his quota of the work that was too strenuous for him.)

K. Podrabinek suffers from infectious myocarditis: rheumatic myocarditis is also suspected. In 1976-77, he spent four months in the hospital with this ailment in a hospital in the city of Elektrostal, Moscow Oblast. At the beginning of 1978, while he was already in prison under investigation and was staging a hunger strike (protesting his arrest as a hostage), he was sent to the city hospital (Elektrostal) with a diagnosis of pre-cardiac condition. Here, the diagnosis was again confirmed - myocarditis. His relatives sent the necessary documentation to the court.

"My God, how he has changed, so thin, so pale, so weak. His prisoner's garb hangs on him like a sack. His skull is like a lot of bumps. Long nose. I throw myself on him. We embrace, I press my lips to his cheeks, his neck, I hold his pale, emaciated body, his enormous ribs." - relates Kirill Podrabinek's father.

Petr Vins

Petr Vins, 22, a member of the Ukrainian "Helsinki" Group, was arrested in February of this year and sentenced - on spurious and fabricated charges of "(leading) a parasitic way of life" or "sponging" - to one year deprivation of freedom in a general regime camp. As of May 13, he has been confined in a camp near the village of Rafalovka, Rovensk Oblast, "facility OR-318/76".

During the first month of his stay at this camp P. Vins was beaten up three times by camp staff personnel - Ministry of Internal Affairs officers.

The first time, while he was being issued camp clothing (the "uniform") P. Vins was kicked and pushed to the ground by Second Lieutenant Furlet. The second time, on June 10th, a senior Lieutenant cruelly beat Petr because the latter refused to dig out the so-called forward zone area - a forbidden zone leading into the camp's protective perimeter system. The victim was placed in the ShIZO, where he was kept from May 10th until June 18th. He staged a hunger strike in protest.

In the ShIZO, Petr Vins was beaten by the guards.

During the second half of June, Petr Vins' relatives learned (through roundabout means) of these beatings and sent a telegram-declaration to several Soviet officials (the Procuracy of the Soviet Union, the Ministry of Internal Affairs, etc.).

P. Vins' first work assignment at camp was in a stone quarry, and (he was given) a high, unattainable production quota; one must work there in water (the water in the quarry is rarely pumped out), there is no means to dry one's clothes out. Then, on account of his health, P. Vins was transferred to other labor (in the work shops).

While still a child, P. Vins had part of his intestines removed (he underwent several Hirshprung operations); He suffers from chronic and serious stomach-intestinal ailments. He had been exempted from military service on account of his health (however, the investigative authorities and the court refused to examine documents concerning P. Vins' health or even include them in the case file. If attention had been accorded these documents, this alone would have brought about the official dismissal of the "sponging" charges). During the winter of 1977-78, while confined for a 30-day period in conditions close to those of an isolation cell, 22-year-old P. Vins began to experience pains and spasms of the heart (He had been arrested at that time for 15 days on trumped-up charges of "hooliganism". He staged a hunger strike in protest, for which he was confined another 15 days). In June of this year, while confined to the ShIZO, P. Vins' heart condtion worsened considerably.

P. Vins' relatives met with him briefly toward the end of June and they report that his hair has gotten very grey.

The arrest and conviction of Petr Vins and Kirill Podrabinek - are among a huge number of violations of human rights and the Helsinki Accords in the USSR.

The cruel treatment they are receiving in the "reform-labor facilities" is destroying their health and threatens the very lives of these worthy young persons.

We call upon international human rights organizations, "Amnesty International", international religious organizations, independent lawyers, all persons of good will - not to cease in their efforts in defense of Kirill Podrabinek and Petr Vins. P. Vins' incarceration is scheduled to end in February 1979. Podrabinek still faces almost two years in prison. (Their) states of health and the inhuman conditions in which they are serving causes one to fear that they may not survive their alloted terms.

9 September 1978

Moscow Helsinki Group
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Attachment (Compiled by M. Landa)*

1. Transits of Vl. Slepak, Igor and Irina Kalintsev, Vyacheslav Chernovol, Ida Nudel, Gabriel Superfin, Grigory Goldshtein, Yuri Orlov.
   Beatings suffered by Bogdan Rebrik and others at the hands of officers and convoy personnel during transit and in camp. Statement by a group of political prisoners in a special regime camp
2. Special regime
3. Making the regime harsher
4. Blocking correspondence by political prisoners.
   Sergei Kovalev.

* The attachments are not printed here.

GROUP FOR MONITORING THE HELSINKI ACCORDS IN THE USSR

City of Moscow Document No. 63

18 September 1978

The Forced Restriction to the Land and the Prohibition of Emigration Against the Jewish Kolkhozniks of the village of Ilinka

The absence in the "general charter of the kolkhoz", which is mandatory for every kolkhov in the USSR, of a categorical affirmation of the right of the kolkhoznik to leave the kolkhoz (see Appendix 1[1].) allows the kolkhozniks to be held against their will on the kolkhoz. This is assuredly a form of forced labor meted out against citizens of the USSR who have not been convicted in court, and indeed an extremely odious form of forced labor, inasmuch as it is unavoidably associated with serfdom. As in the case of any form of forced labor, mandatory restriction to the kolkhoz contradicts Convention 29 of the International Labor Organization concerning the prohibition of forced labor, and ratified by the USSR.

In just these circumstances of being forcibly restricted to the land, find themselves five families of Jewish kolkhozniks comprising forty-one individuals from the village of Ilinka, Kazanski Selsovet, Talovsky Rayon, Voronezhskaya Oblast. The village of Ilinka, made up of approximately 130 households, it populated almost entirely by believing Jewish peasants with large families, are included in the Kolkhoz "Rossiya". A large portion of the inhabitants of the vilalge wish to emigrate to Israel, but the authorities are creating all sorts of obstacles.

In 1974-76, twelve families emigrated from the village. Subsequently, the authorities blocked further invitations from Israel. The former chairman of the kolkhoz V.D. Tarasov, the present chairman A.G. Kuvalin and the chairman of the Kazansky Village Board V.V. Lebedev illegally refused to issue residence, family status and work documents to fourteen families. Without these documents, OVIR will not accept applications and documents for emigration.

After extremely difficult and unavailing efforts to get these documents, going all the way to the CC (Central Committee...trans.) of the CPSS, the Ministry of the Interior, and the Ministry of Agriculture, five families stopped going to work at the kolkhoz in April 1977. They turned in an application to leave the kolkhoz and demanded, as provided by the charter, either that a general meeting be called or an assembly of persons authorized to look into their request to leave the kolkhoz. In violation of the charter, according to which such meetings are supposed to be conducted no less than once every three months, the meeting of authorized personnel took place on 12/21/77. The meeting, by a vote of 86 to 17, decided "not to permit the applicants to leave the kolkhoz". None of the people who had applied to leave were even given the opportunity to speak at the meeting. The Raion District Attorney's Office, in reply to a complaint, advised that "in the decision there was no violation of kolkhoz democracy" (see Appendix 3) rough ly the same answer was given by the Attorney General's office of the Oblast. The Attorney General of the RSFSR returned the complaint that it received back to the Oblast Attorney General's office.

The Moscow Helsinki Group compiled Document No. 9 of 10/12/76 and No. 49 of 4/30/78 with regardless to the injustice taking place in Ilinka. Document No. 9 figured in the trial of Professor Yuri Orlov as evidence incriminating

Orlov in anti-Soviet slander. During the trial, Document No. 9, as in the case of all the other incriminating documents against Yu. F. Orlov, were not read, but former kolkhoz chairman V.D. Tarasov perjured himself by saying that there was no one in the village of Ilinka who wished to emigrate to Israel.

We point out that easily verifiable additional facts presented in Document No. 49, irrefutably confirm the truth of the contents of Document No. 9, and demonstrate the falsity of V.D. Tarasov's testimony.

The inhabitants of the village of Ilinka consider themselves the descendants of Moscow Jews who had been expelled from the capital during the reign of Peter the Great to what was at that time the frontier of the country. They deeply value their attach ment to the Jewish people and to Judaism. One of the basic reasons that they desire to emigrate to Israel is the fact that under present conditions they are unable to preserve their faith and even such a minimum portion of Jewish culture as simple literacy in Hebrew. The last person in Ilinka who was knowledgeable in the Jewish religion and had served as a rabbi, was exiled and died soon after the war.

The following facts are very characteristic:

1. A Special Commission with an expert on national-religious issues was sent to Ilinka in 1977 to check on the claim by the residents of Ilinka that they were Jewish. The Commission found the residents of Ilinka to be Jews.

2. In case of loss or disappearance of one's birth certificate, a passport is reissued only on condition that the "nationality" section is filled

in as "Russian".

3. The old name of the kolkhoz "The Jewish Peasant" disappeared after the war, and now "Ilinka" is part of the "Rossiya" kolkhoz.

With regard to the residents of the village of Ilinka the following have been violated: 1. the Constitution of the USSR, 2. the Universal Declaration of Human Rights, 3. the International Pact on Economic, Social, and Cultural Rights, 4. The UN Declaration on Abolishing all forms of Racial Discrimination, 5. The Final Act of the Helsinki Accords.

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Document 64

The Propaganda Campaign to Discredit the Human Rights Movement in the USSR

The authorities are conducting an intensified and ever widening campaign to discredit the human rights movement in our country, employing to this purpose lies and slander.

Nominally open trials of human rights activists - Rudenko, Tykhy, Gayauskas, Vins, Orlov, Ginsburg, Shcharansky, Pyatkus, Slepak, Lyukyanenko, Podrabine, and others - are conducted in secret, and there has not been one report (on these trials) in the official press. But at the same time, the official propaganda organs - TASS, the newspapers, radio, television, party propagandists, KGB officers and even judges - spread false information about the human rights activists and the human rights movement as a whole. Even the sentences handed down by hardly unbiased courts are further distorted to supplement and increase the severity of the charges and heap additional opprobrium on those who have been convicted.

This campaign was especially intensified in the middle of the current year. According to the obviously far from exhaustive information that we have at our disposal, the participants have been: "Pravda", "Izvestiya", "Literatrurnaya Gazeta", "Komsomolskaya Pravda", "Nedelya", the magazines "Ogonyok", "Novy Mir", "Znamya" (a newspaper from the Kaluzhaskaya Oblast), "Literaturnaya Ukraina" (and no less than seven other newspapers published in the Kiev Oblast) "Leninskaya Molodyozh" (a newspaper from.the Lvovskaya Oblast) "Leninsky Prapor (Pustomytsky District, Lvovskaya Oblast), "Leninskoe Znamya" (Tenkinsky District, Magadanskaya Oblast), the newspaper in Gorky, the Lithuanian press; "Golos Rodiny" and "Vesti c Ukraini" (papers published in.the USSR for emigrants, not sold to any extent in our country).

Repeating the lies and fictions of semi-officialdom that are disseminated by the police and authorities, adding new slander, abuse and threats of terrorist actions, there follow, one after another, the anonymous "memoranda", streams of anonymous letters, mostly pornographic in nature, and phone calls.

At the end of September, the historian and "dissident" Roy Medvedev, well-known in the USSR and in the West, joined this campaign with his own open letters.

We are in possession of dozens of letter and statements, individual and collective, exposing and refuting this slander. The Soviet press does not publish such documents. We are also aware of dozens of statements that have been sent to the prosecutors' offices and to courts, particularly from political prisoners, requesting permission to appear as witnesses in criminal proceedings, in order to refute charges that are obviously being prepared against human rights activists, to give testimony on their fine character (such a statement was sent, among many others, by the well-known human rights activists and prisoner of conscience Sergei Kovalev) Not one of these statements was accepted.

Example characterizing the smear campaign against the human rights movement in the USSR, against recently sentenced human rights activists, and other prisoners of conscience who are either serving or have served their terms, also against those person who are close to them, are presented in the Appendix to this Document.

We considered it necessary to expose the essence of this slander campaign most of all because the. majority of those persons against whom it is directed, are currently incarcerated in complete isolation.

October 18, 1978

Moscow Helsinki Group:

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Moscow Group for Monitoring the Helsinki Accords in the USSR

25 October 1978 Document No. 65

Five years ago, in 1973, the USSR ratified the International Pact on Political and Civil Right, which went into effect in 1976.

In the USSR's report to the UN Committee on Human Rights, on 24 October 1978 concerning compliance with this pact in the USSR, it was noted that ratification of the Pact and its subsequent application had not been accompanied by any changes or additions in the Soviet legal code ("Pravda", 25 October 1978). This pact is set forth as proof of the high level of Soviet legislation.

The documents of the Moscow Helsinki Group and the publications of the journal "Chronicle of Current Events", which have yet to be refuted by anyone, have pointed out systematic violations by Soviet authorities of a number of basic articles within the Pact, and the lack of changes in Soviet legislation in connection with ratification of the Pact simply attests to the contempt in which genuine compliance with the Pact is held.

The activities of the Helsinki Group is directed at publicizing instances of violations of the civil, political, and social rights guaranteed by the Pacts and the Helsinki Accords, as they become known to the Group.

Group Members:
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Moscow Group for Monitoring the Helsinki Accords in the USSR

30 October 1978 Document No. 66

30 October - Day of Political Prisoners in the USSR

Since 1974 - on the initiative of political prisoners - 30 October has been commemorated as Political Prisoners Day in the USSR. Political prisoners announce....that they exist. In statements and reports to the Supreme Soviet of the USSR (and other important government agencies - they demand the admission that political prisoners exist, the establishment and observation of the Status of political prisoners. In support of their demands, dozens[1] of political prisoners at the Urals and Mordovian camps and at the Vladimskaya prison conducted a hunger strike.

On 30 October 1974, in Moscow (at the apartment of the Nobel Peace Prize Winner Academic Andrei Sakharov) a group of human rights activists held the first press-conference dedicated to Political Prisoners Day in the USSR. Western correspondents were handed statements, open letters and other documents, composed by political prisoners themselves - materials that made it to the outside, despite stringent efforts made by prison authorities to see that information does not get through.

A particular interesting document, presented at the press conference, was the text of a proxy "interview", in which eleven political prisoners at Urals Prison No. 35, set up and then comprehensively answered a series of questions on the subject of how they become "convicted," how they related to what was happening to them, about the relationships between the camp's political prisoners, about the prison authorities and KGB representatives, and other questions.

The participants of this "interview", Vladimir Balakhonov and Semyon

Gluzman are in prison at this moment. They have severly punished one a number of occasions. Balakhonov has spent three years in Vladimirskaya prison. Gluzman is being held presently in a camp prison cell (PKT). Their health has been impaired. During the summer, 30 -year-old Gluzman experienced a cerebral hemorrage....Two other prisoners, Shakhverdyan and Svetlichny, took part in the interview. Bagrat Shakhverdyan, after having served five years, and Ivan Svetlichny, after seven years, both with severly impaired health, were sent off to exile in the Spring of this year. (I. Svetlichny suffers from hypertonia, suffers from cerebral hemorrages, not long before his exile had had an attack of serum hepatitis.)

One of the organizers and participants in the first October 30 press conference, Sergei Kovalev, was arrested less than two months later on charges of "anti-Soviet agitation and propaganda"; among the counts included in the charges are his having signed the Appeal of the Initiative Group for the Defense of Human Rights in the USSR on Political Prisoners Day, and also his having handed out the materials at the press conference, particularly the "interview" mentioned above. Sergei Kovalev has himself become since then a political prisoner (his is serving a seven year prison sentence, to be followed by three years exile) in located at a political prisoners camp in the Urals, has been and is presently subjected to cruel and inhuman treatment and harassment, similar to that described in the documents with which he was incriminated...Since May of this year, S. Kovalev has been placed for six months in a camp prison cell. Already for over a year, there has not been a single letter from him.

In 1975-76, among the participants of the press conference on Political Prisoners in the USSR Day were Yuri Orlov, Aleksandr Ginzburn, Anatoly Shcharansky, and Vladimir Slepak. Now they themselves are political prisoners. The only reason that each has been sentenced...participating in the struggle for human rights in our country..

Among the "criminal" activities brought against Ginzburg, Orlov, and Shcharansky are the compilation by the Helsinki Group of documents concerning the political prisoners' conditions of confinement.

REcognizing the accuracy of these accusations, many political prisoners of the Urals and Mordovian camps and of Vladimirskaya Prison sent the court and prosecutor's office statements, in which they expressed their wish to testify regarding the true state of affairs. One of those who sent in a statement was Sergei Kovalev. None of these persons was called in court.

On Political Prisoners in the USSR Day in 1975, Western correspondents were handed a copy of the proposed Status of political prisoners, supported by more than seventy political prisoners at the Urals and Mordovian camps, and theVladimirskaya Prison. We have learned also that this proposal was sent to the Supreme Soviet of the USSR by the political prisoners of the Vladimirskaya Prison ("Chronical Press", New York, 1975)

The basic proposals/conditions of the Status of political prisoners are:

- Abolition of forced labor

- The use of deprivation of food, clothing, bedding and so forth as means of punishment of "reeducation" could no more be employed. Also inadmissable would be punishment-torture by hunger, cold, deprivation of sleep and the intentional application of other forms of physical and moral suffering.

- Medical care (or the deprivation thereof) would not be used as a means of reward or punishment....

As supporters of the Status, we believe, that they should apply not only to political prisoners, but assuredly to all prisoners.

At the same time, we would call attention to the particular conditions in which precisely political prisoners are held. In order to "re-educate" the prisoner of conscience, to force him to change himself, to renounce his spiritual values, not only is the whole arsenal of "corrective measures" applied as proscribed in the Corrective-Labor Legislation (additional restrictions on food, torture by means of the isolation cell, deprivation of visits, change from camp regime to prison regime and so forth) but also many methods not allowed in this legislation (refusal to provide medical attention, confiscation of correspondence, persecution of relatives, and others forms)

We would call attention also to the fact that the persecution of political prisoners does not cease after his having served his term: discrimination with regard to where one may live and work, open surveillance by the police.

We would in particular emphasize: the greater parter of the political prisoners in the USSR are prisoners of conscience, who have not committed any sort of crime.

The ability to haul people into court for having practiced their right to freedom of conviction (article 19, Universal Declaration of Human Rights) in unargueably facilitated by the existence of such illegal articles of the Criminal Code as "anti-Soviet agitation and propaganda" (art. 70 Criminal Code RSFSR and corresponding articles in the Criminal Codes of the other Republics in the Union) "dissemination of deliberately false information, slandering the Soviet political and social system" (art. 190-1 Criminal Code RSFSR); a wide range of opportunities to bring legal charges and subsequent severe criminal penalties - for practicing the right to one's conviction and the right to choose one's country of residence - is presented by the section of "treason against the homeland" article (art. 64 Criminal Code RSFSR, and corresponding articles in other Republics' Criminal Codes).

The fulfillment of international obligations, as established by the Helsinki Act, demands that articles 70, 190-1, and that section of article 64 which allows (the authorities) to prosecute people for their freedom on convictions and their desire to leave the country, should be abolished.

All persons convicted under arts. 70 and 190-1 (or under the corresponding Criminal Codes of the other Republics in the Union) and also under the section of article 64 as mentioned, should be released.

To this day, there are persons in camps and prisons in the USSR who were sentenced to twenty-five terms prior to the adoption of the new legislation that limited the maximum term to fifteen years. As a humaniatrian step, they must be amnestied.

Without the release of political prisoners - prisoners of conscience - all the guarantees of human rights as expressed in the Pacts on Rights and in the Helsinki Act, will remain merely words.

Members of the Moscow Helsinki Group:

E. Bonner
S. Kalistratova
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T. Osipova

signed in support:

A. Sakharov
N. Strokatova (Karavanskaya)
A. Lavut
T. Velikanova
Father G. Yakunin
V. Kapitanchuk
L. Boitsova (Kovaleva)
I. Valentina (Orlova)
I. Zholkovskaya (Ginzburg)
N. Buzyreva (Fedorova)
G. Vladimov
L. Ternovsky
Yu. Yarym-Agaev
V. Bakhmin
A. Khlgatyan

APPENDIX

1. A list (incomplete) person persecuted for their political beliefs
2. The basic positions of the Status on political prisoners (and a comparison with the existing regulat ions)

GROUP FOR MONITORING THE HELSINKI ACCORDS IN THE USSR

28 October 1978 Document No. 67

CONCERNING HEALTH CARE FOR PRISONERS

The Group for Monitoring the Helsinki Accords in the USSR deems it necessary to inform the signatory states of the Helsinki Accords, the organizations "Amnesty International" and the Red Cross, medical organizations, world-wide public opinion about the conditions of health care in the camps and prisons of the Soviet Union.

Prisoners are given food that is almost entirely devoid of protein and vitamins; heavy labor and frequent punitive measures create a situation whereby there are hardly any healthy persons among the prisoners. This makes the problem of health care especially important.

One definitive factor here is that medical care in the camps and prisons falls not under the purview of the Ministry of Health, but under that of the Ministry of Internal Affairs, and is subservient to (the latter's) instructions and secret order$ This makes medicine an element of the penal system, and doctors - either accomplices of this system or a passive figure subject to the prison authorities; this leads to a constant and continuous worsening of the level of health care, which has become in the last year and a half to two years catastrophic.

The situation is especially grave at the Vladimirskaya Prison (Ugodin - head warden of the prison, Colonel S.S. Kazakov - head of the medical services Ministry of Internal Affairs Vladoblispolkom, Inspector Zalivina - inspector of medical services Ministry of Internal Affairs, -

Elena Nikolaevna Butova - head of the medical unit at the prison, Zinaida Semenovna Zamovskaya - ward doctor, Titova - ward doctor Sukhacheva - ward doctor, V.L. Rogov - prison psychiatrist.

Until 1977, doctors had significant authority: one might be placed in the solitary confinement cell only with the permission of the doctor, they were empowered to release the prisoner from solitary confinement, to assign him to a hospital, prescribe a special diet. Since 1977, assignment to solitary confinement may take place without a doctor's permission. Only the head warden may free the prisoner from solitary on grounds of health. In November 1977, one prisoner Nikolai Dudin was being kept in solitary cell No. 5; he was suffering seriously from asthma, and he was beggingfor help as he choked in his own blood. The walls and floor of the cell were covered with blood. Instead of giving him help, they threw him a towel now and then with which to wipe up the blood. In the neighboring cell, N. Bondar started to beat on the door of his cell with his feet, demanding that they send a doctor down. A physician's assistant went by and told him: "Mind your own business". Later, a doctor looked at Dudin and said that she was not, unfortunately, able to order Dudin released from solitary, although he should be released, and advised him to sit out the remaining few days. However, toward the end of the fifteen day solitary sentence, Dudin received a new directive which said: "Your period has been extended. Fifteen more days for shouting and banging on the door". (There is no other way to call the guard - the bell doesn't work).

Prisoner Zdorovy was not released from solitary despite the fact that he had lost consciousness and injured his head in the ensuing fall.

Egor Davidov, who was suffering from rheumatic heart and sciatica, was held in a cell in which the temperature was 11C. He appealed to the ward doctor Zamovskaya for permission to wear an extra pair of underwear. She promised to bring it up with the warden. "What does the warden have to do with it", - said Davydov in surprise. "You're the doctor, it's up to you to decide" - "This is a question of security" answered Zamovskaya. After a few days, Davydov was told that his request had been refused on security grounds. At the same time, the prohibition on fur gloves and anti-sciatica belts was affirmed.

At one time, it was sufficient for a doctor to approve a cot for a person going hungry in the solitary cell (cots are generally issued only at night). Nowadays, the doctor merely writes the applicable report, and the warden makes the decision. V. Fedorenko, during a hunger strike, got fifteen days in solitary for attempting to get a letter out of the camp past the censors, and subsequently this term was lengthened to twenty-five days. Fedorenko was given a cot only for twenty-two days of his stay in solitary. For almost the entire time that he was in solitary, he was fed only every five days. Only toward the end of his stretch in solitary, did they start to feed him every other day. (The artificial feeding, by which prisoners are force fed does not meet the established standards: the required sugar, meat, and eggs are frequently not added to the thin gruel; they put in other fats instead of meat.)

BONDARENKO, a handicapped person of the II group, got fifteen days in solitary for drawing a caricature of the medical unit head Butov, who had refus ed to treat him. Bondarenko was so emaciated, that he did not have the strength to drag his cot into the cell at night and he slept on the cement floor (Bondarenko's term ends in 1991). In June 1978, they refused to hospitalize one G.A. Prikhodko, who was ill with sciatica.

In April, representatives of the prison authorities took part in the beating of Omar Askhanov. He and other prisoners demanded that "they get pictures of this beating" (i.e. record their scars for the medical files) The ward nurse refused to do this: "If the warden says so, we'll do it". Only after several persons raised a row by banging on their cell doors, Ugodin ordered that a doctor be called. The head of the medical section Butova "got pictures of the beating", but didn't render any medical aid, saying that there was nothing seriously wrong. Meanwhile, Askhanov was covered with bruises and was spitting blood (Ackhanov has tuberculosis, in February was taken off special diet by order of the operations section).

As of fall of 1977, the so-called preventive nourishment has no longer been given to persons with ulcers (two spring months and two fall months, dietic menu according to standard 5B: included in the diet is 500 g. milk, 30 g. butter, 40 g. meat, 40 g. sugar, 400 g. white bread (incidentally, the products are, by order of the Ministry of Interior Affairs, second rate.) rice meal and farina. Nowadays, they issue the "ulcers diet" only when the illness becomes acute and only in the event that the pri soner is hospitalized. Persons who are listed as tubercular continue to received a special diet. They are merely put together in cells specially set aside for such patients (in construction, these are not the least bit different from the ordinary cells). The cell windows are covered by slats (this too was introduced in December 1977) in several wards the slats are metal planks five meters in thickness, air can slip through the side crevasses that are about 10 centimeters wide. Tubercular individuals are placed in cells on a general basis (psychiatric patients also) they may be placed on strict regime: with reduced diet, with exercise period limited to thirty minutes - and this also applies to hospital patients.

There exist further one dietic standard, differing from that prescribed for ulcers by the daily ration of milk (250 g), the so-called "weak" diet. At one time, it was fairly easy to obtain this diet - now, it is almost impossible: As of 1978, only 3% of the prisoners can obtain it.

The general standards in the cells at Vladimirskaya Prison, as a rule, are unsanitary....the plumbing frequently backs up and it smells in the cells. In the cells of Building No. 2.- the camp hospital - there are no toilets or water faucets.

According to Instruction No. 125 (10/1/75) concerning medical facilities of the Ministry of Internal Affairs and health care in the Corrective Labor System. prisoners who are located in medical facilites of the Ministry of Internal Affairs and who violate the rules, may be subjected to all measures of persuation as prescribed by the Corrective Labor Code of the RSFSR (art. 53) up to and including solitary, SHIZO and PKT. At the Vladimirskaya Prison treatment of a prisoner is suspended when he goes into solitary confinement (although this is in violation of existing legislation) if he had been receiving special diet or had been in the hospital, the special diet is not renewed nor is he returned to the hospital (except for those with tuberculosis). When a person with tuberculosis leaves the solitary confinement cell, many times the chamber pot is not even emptied.

The prisoners' complaint about health care are invariably sent to the corresponding sections of the MVD and to the prosecutor's office. Before the complaints and statements are sent, they are inspected by the medical personnel (to make up explanatory notes to accompany the complaint)

The medical care in the camps is also of very poor quality. The doctors, who, in their own words, are "first of all, employees of the MVD" pay absolutely no attention to the conditions in the camps: the dietic standards (especially in the PKT and SHIZO) the hard labor frequently beyond the strength of the weakened persons., the day-to-day conditions (in the winter, the temperature in the barracks goes down to 8C) are directly intended to impair the health of the prisoners. Health care is one of the methods applied in order to "re-educate" (the prisoners). It is frequently the case that seriously ill persons are not exempted from work, are assigned to heavy labor that they are in no condition to carry out, and are refused hospitalization.

Ivan Svetlichny, who had been working in camp No. 35 as a fireman, was transferred to camp No. 36, where, without a medical check-up or having inspected his medical chart, they rescinded his status as handicapped (as a result of a childhood accident, he is missing fingers on both hands). He has been assigned to hard labor, where he is required to drag boxes and logs around and carry out work that is beyond his strength. He is punished if he doesn't fulfill his assigned work norm. Svetlichny suffers, moreover, from a bad heart, but they have refused to treat him. Several prisoners have demanded that Svetlichny's status as handicapped be restored to him and that he be assigned to light labor. P.K. Sartakov, who suffers form cirrosis of the liver, was punished for not being able to stand up in the presence of a prison official while he was having an attack. He is assigned to work that is too heavy for him, and for refusing to do it, was placed in the PKT for six months. I. Svetlichny and Sartakov "have not taken the road to rehabilitation".

V. Lapenis spent a month and a half in the hospital, he was assigned status as handicapped, 3rd group. On 17 February, the camp director told him that the commission had pronounced him fit for work, and assigned him to work as a stoker. Lapenis refused on the grounds that the work was beyond his strength , and was punished with seven days in the SHIZO and denial of commissary privileges for a month. Lapenis is seventy years old, he has sciatica, a weak heart, and low blood pressure.

E. Pronyuk has pulmonary tuberculosis. Prior to his arrest, part of his lung was removed, which halt the progress of the tuberculosis. However, his condition took a serious turn for the worse while he was in prison, and a lesion was discovered in his other lung. Pronyuk's relatives applied for a pardon for him on medical grounds, but they were refused; the reason given was that the Corrective Labor facility had given him a negative personal evaluation.

The health of one Barladyan, impaired by a hunger strike, during which he was beaten to unconsciousness by the guards, has gotten worse, but he has received no medical aid. His complaint about this to the Attorney General of the USSR has not yet been forwarded by the prison authorities. Only after the protests of his relatives, was Barladyan sent to the Oblast Hospital of the MVD. There the diagnose was made: Hypertonia, first degree, with dropsy and hemorraging to the brain. In the medical analysis it is stated that work in the stone quarry (which the camp prisoners do) was not feasible. The camp authorities tried to keep this report from Barladyan and put him to work in the quarry. When this didn't work, Barlahyan was transferred to a shop where boxes were made. As before, he is not receiving medical care. (There are lice in the camp. In the quarry where the prisoners work, the water is hardly pumped out. For all this, only one pair of boots is issued per year.)

There are frequent occasions when a diagnosis is made not on considerations of health, but on operational considerations. Thus, for instance, Yu. Litvin, who was serving a three year sentence in Corrective Labor Facility No. 25, requested "early parole with a mandatory labor requirement" but he was kept in the camp on the basis of a medical report by doctor Frolova: "Litvin may not be send to a construction project, inasmuch as has (sic?) employment and is ill". After two weeks Frolova refused to assigned Litvin a special diet (he has an ulcer) and wrote that "he is absolutely fit". On account of Frolova's diagnosis, in which she called him a malingerer, he was on the brink of death (the ulcer burst in the SHIZO where he had been sent as a result of his "malingering" and where he was kept, nevertheless, for the entire ten days of his sentence.) In a letter to the ObKom of the ASSR, Litvin described the circumstances surrounding the death of a 29-year-old prisoner, who died of a heart attack without having received any medical aid.

The system of punitive measures in the camps: SHIZO (bread and water, every other day), PKT (reduced diet for a period up to six months) is destructive for the prisoners, many of whom suffer from digestive diseases. When one prisoner asked: "Will this intentional destruction of the prisoners' health cease?", KGB operative Boroda answered: "You shouldn't have wound up in the PKT".

Airikyan, Chernovil, and Osipov spent a long period time in a damp and cold room in the camp prison, where, by order of the authorities, they were deprived of warm clothes and slept on cold boards. As a result, their morning temperature remained around 37.2 for several months, while in the evening it rose to 38-40. (Chornovil has chronic tonsilitis and an oral ulcer; Osipov has tuberculosis. All three were in the hospital for observation, but they were not assigned for treatment - they were diagnosed as "healthy". After being released from the PKT, they were still running temperatures, but the camp dispensary still refused them medical care. In this condition, Chernovil was sent off to exile, Osipov was transferred to a work shop where the conditions are hazardous. In May 1978, Taratukhin, confined to a PKT, declared a "dry" hunger strike. On the sixth day, he was urinating blood, and he stopped his hunger strike. Not once was a doctor called for Taratukhin.

Nadezhda Usoeva was sentenced to fifteen days in the SHIZO for refusing to do forced labor on religious grounds. At that time, she was already ill after served a previous stretch.

Even a person who is seriously ill has trouble getting into a hospital for treatment.(each zone has its own medical dispensary, moreover, for the Mordovian camps, the hospital is located in the village of Barashevo, for the Perm camps, the village of Vsesvyatskaya). Very rare are the occasions where a political prisoner is admitted to a central prison hospital. For instance, Kovalev, trying to get into a Leningrad hospital for an operation, went hungry for almost a month. In December 1977, Ivan Gel also went on an extended hunger strike in an attempt to get placement in a hospital. For a long time, the head of the medical dispensary Seksysov would not grant exemption from work and hospitalization to Nikolai Budulak-Sharygin, who was suffering from a serious case of hypertonia. Finally, Budulak-Sharygin was sent to the hospital in very serious condition. Persons who are sick are frequently denied hospitalization on the direct orders of the authorities. In June 1977, the doctors wanted to send Niiole Sadunaite to the hospital, but the authorities at Camp No. 3[1] refused to do this. Abankin lost consciousness twice from the pains in his stomach, but was not hospitalized, since he has a red stripe in his file - an inclination to try to escape.

Mikhail Slovodyan was sent to the hospital in 1977 in extremely grave condition. The night before, the head of the camp Major Fedorov, forced him in his sick condition, to drag logs around at the saw mill, and did not allow him to report to the dispensary. Slovodyan has a bleeding ulcer of the stomach. In the Spring of 1978, Slobodyan's health again took a serious turn for the worse, but he does not receive medical care, is not hospitalized. He is punished for not fulfilling his daily work norm. The basic reason is that Slobodyan, a former MVD employee, has "not taken the road to rehabilitation". In the middle

[1] Mordovian Camp No. 3

of March, a mass hunger strike was undertaken to back a demand that Slobodyan be hospitalized.

As a rule, the camp dispensary does not have the necessary medicine, and sending medicine there is against the rules (occasionally exceptions are made). There have been times when patients are not given the medicine they need, when it is available, for operational reasons (for instance, in Svetlichny's case). According to one witness, a political prisoner at Mordovian Camp No. 1 (special regime), "the camp pharmacy hasn't had anything in years, except aspirin". And this in the camp where the conditions of incarceration are the most severe. In the last three years, six prisoners under fifty years of age have died. The circumstances surrounding the death of Pekharev are particularly tragic. He had been sent several times to the hospital, but had always been sent back, without any serious observation being done. One day while he was working, he couldn't stand up and crawled out into the yard. The prisoners demanded that he be taken care of, but physician's assitant Nadyukin claimed that Pekharev was faking. Only when he started to turn green, did they give him a shot. The death of Pekharev precipitated a hunger strike by twenty prisoners who demanded that the causes of the high death rate be eliminated.

In Camp No. 35 Strogonov and Mezhals died.

Both in Perm and in Mordovia, the hospital is located far away from the camps, the is no special medical transportation, persons who are sick are transported in the police wagon. The rough ride on the road causes the patients unbearable suffering, leading occasionally to tragic endings. The prisoners at the Perm camps call the road that goes from the camps to the hospital the "road of death" .

Even when they are hospitalized, many patients do not receive the necessary medical care, inasmuch as the hospitals, in the same way as the camps, frequently do not have the required medicines (for instance, one Federov, sick with pielonephrit, was given nothing in the hospital except for Vitamin C) Due to poor sterilization of instruments, V. Pidgorodetsky was released from the hospital after a hernia operation with a suppurated, unhealed wound, Svetlichny and Ismagilov came down with serum hepatitis. Sick persons are subjected to punishment in the SHIZO and PKT on the basis as others.

On 14 March 1977, A. Pleish died while awaiting an operation on his stomach. Two prisoners suffering from tuberculosis, D. Demidov and A. Sergienko, who had shared with the same cell with him during his suffering, refused to stay any longer in this horrible treatment cell. Despite the fact that they had an active form of tuberculosis, they moved back to the camp and put in the SHIZO for fifteen days. When (prisoner) Sverstyuk sent a complaint to the Oblast Medicine Office of the MVD concerning the crime of keeping such sick people in solitary confinement, he received an answer from VS-389 Mikov to the effect that they had been justly punished. As punishment for having joined the "Belgrade" hunger strike on 4 October, Chornovil and Osipov were shipped out of the hospital back to the prison zone. A. Sergienko had his special diet taken away for having taken part in the "Belgrade" hunger strike, along with his phtivazid treatments.

The political prisoners are constantly appealing to various official agencies not only with individual, but also collective complaints and protests concerning health care in the camps, by means of hunger strikes they seek medical attention for their comrades. S. Gluzman, having become convinced that medical care had become a branch of the MVD penal system renounced his title as a doctor. One of the demands of the Status of political prisoners in the improvement of medical care.

The Group declares that art. 1 of the Corrective Labor Code: "....the imposition of punitive measures is not intended to cause physical suffering nor the humiliation of human dignity", is being constantly and deliberately violated in the camps and prisons.

We call for efforts to bring about inspection of the prisons and camps by representatives of the International Red Cross. We call for efforts to do whatever is possible to bring about an end to the intentional destruction of the health of prisoners.

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MOSCOW GROUP FOR MONITORING THE HELSINKI ACCORDS IN THE USSR

8 December 1978 Document No. 70

In connection with the thirtieth anniversary of the proclamation of the Universal Declaration on Human Rights, the Moscow Group for Monitoring the Helsinki Accords in the USSR notes with alarm that this anniversary year is characterized in the USSR by an atmosphere of increasing and ever-widening repressive measures against human rights activists and dissidents.

The entire world is aware of the shameful trials of Orlov, Ginsburg, Shcharansky, Pyatkus, Podrabinek, Gayauskas, Kostava, and Lukyanenko, that were held this year.

Searches, arrests, trials, are going on in Moscow, Leningrad, and other cities. Although we are unable tp procure complete information; we consider it essential to note only a few concrete instance, information about which (frequently incomplete) we have at our dispcsal.

1. Searches, interrogations, and arrests among a youth group that calls itself "the left opposition", were initiated in October 1979. This group made its first appearance back in the Spring of 1976, when, in connection with the distribution of leaflets on the opening day of the XXV Congress, 17-year-old Andrei Reznikov, a freshman at Leningrad University, was arrested and charged under art. 70 Criminal Code RSFSR (after a few months the case was dismissed, and Reznikov was released). Other members of the group were expelled from the University.

In 1978, the group was holding literary meetings, discussions on posters and paintings, had organized the issue of its own samizdat journal. "Perspektiv" (two issues had come out).

The group had planned to hold a conference with other opposition-inclined youths from Leningrad, Moscow, Gorky, Tartu, Tallinn and other cities on 14-15 October.

However, on 12 October KGB agents carried out searches at the residences of the group's leaders: Arkady TSURKOV (20 years old, freshman at the Hertzen Pedagogical Institute), Andrei Reznikov (20 years old) and his wife Irina Fedorova (18 years old).

In the days that followed more searches were conducted among other members of the group. During the searches, samizdat literature and other materials were confiscated.

Other members of the group were called in for interrogations in the capacity of "witnesses".

During all this, KGB investigators Kuznetsov, Karmatsky, Tsyganov, Lepetunin, Blinov refused to inform the witnesses as to exactly what case they were being interrogation about.

On 10/14, Moscovite Andrei Besov (age 30) and Gorky resident Viktor Pavlenkov (age 18), having arrived for the conference, were stopped at the train stations and taken in for interrogation. After the interrogation A. Besov was forcibly hospitalized in a psychiatric facility in Leningrad, and subsequently transferred to Psychiatric Hospital No. 7 in Moscow. V. Pavlenkov was arrested for allegedly having committed petty hooliganism.

2. After two searches on 11/1/78 Mark Morozov was arrested by KGB operatives in Moscow. We have learned that he has been charged with violating art. 70 Criminal Code RSFSR. A third search was conducted at his

apartment on 12/6. According to several of the persons who were questioned with regard to the Morozov case, he is accused, in particular, with disseminating leaflets indefense of Orlov Yu. F., A. Ginsburg, A. Shcharansky.

3. On 8/1/1978 in the city of Gomel (Belorusskaya SSR), a forty-year-old construction worker from the city of Svetlogorsk, Evgeny Ivanovich Buzinnikov, was sentenced to three years at a strict regime camp, after a closed trial without defense counsel. Buzinnikov is currently located in camp at the following address: 623960, Sverdlovskaya Oblast, Azanka St. p/ya I-299/2-1-4.

He was convicted of "dissemination of false information, libelling the political and social system of the USSR" (art. 186-1 Criminal Code, BSSR analogous to art. 190-1 Criminal Code RSFSR).

According to the information at our disposal, Buzinnikov was charged in connection with:

a/ listening to foreign radio broadcasts (during a search, a radio receiver and tapes of broadcasts were uncovered);

b/ intending to distribute the manuscript by M. Rudenko "Economic Monologues" (during the search, a notebook with an introduction to this manuscript by P. Grigorenko, recopied by Buzinnikov, was confiscated.)

c/ writing private letters to A.D. Sakharov and V.A. Nekipelov, that is, activities clearly legal.

It must be noted that during the search at Buzinnikov residence, the text of the Universal Declaration of Human Rights as recopied by Buzinnikov, was also confiscated and placed in his file.

4. 8/30/78 , Vadim Ivanovich Konovalikhin (age 35) a worker (chauffer, radio mechanic) from the city of Sovetsk was sentenced to exile by the Kaliningradsky Oblastnoi Court under art. 190-1 Criminal Code RSFSR (Konovalikhin's address: 169060, Komi ASSR, Ust-Vymsky raion, city of Mikun, general delivery.

Konovalikhin was convicted and sentenced for "having been under the influece of foreign anti-soviet radion broadcasts, (he) systematically in 1977-78 prepared and intentionally distributed in written and printed form on a "Moskva" brand typewriter that he had specially acquired, deliberately slanderous and false information, libelling the Soviet social and political system, and sent (this libellous material) to party, Soviet administrative, and labor organizations in the USSR, and also to international organizations, and to official and private individuals abroad."

Konovalikhin pled not guilty at his trial, and declared that, according to the Declaration of Human Rights, the International Pacts on the Rights of Man, the Helsinki Accords and the Constitution of the USSR, he is entitled to certain basic rights and freedoms of the individual, including the freedom of speech, conscience, opinion, conviction, freedom of movement, and so forth.

There was absolutely no proof that the assertions made by Konovalikhin in his letters and statements, were deliberately slander ous or libellous.

5. On 8/2/78, in the same city, Sovetsk, the artist Roman Kosterin was arrested. (Kosterin had frequently exposed the abused of public office on the part of local authorities, including that of the first secretary of the Party's City Committee, Petyshkov.

He was charged under art. 190-1 Criminal Code RSFSR.

We have learned that Kosterin's protests against the arrest of Konovalikhin was the reason for his arrest.

According to what information we have at the moment, the trial of Kosterin has already taken place, but we have no information about the sentence.

The threat of persecution is also hanging over Kosterin's wife, Inessa Kosterin, a high school teacher, who had been threaten with losing her job in 1974, when her husband attempted to apply for permission to emigrate to the USA at the invitation of relatives. (The Kosterins' address is: 238700, Sovetsk, Kaliningradskaya Oblast, Gagarin St., bldg. 23, Apt. 4)

6. 8/10/78 , technician Nicholai Petrovich Shatalov,(age 49) arrested on 8/10/77 and released pending trial on 3/16/78, was convicted by the Stavropolsky Kraevoi Court under art. 190-1 Criminal Code RSFSR.

The court sentenced Shatalov to a year and a half in a strict regime camp. In the court room, Shatalov was taken under armed guard.

According to the sentenced handed down by the court, Shatalov, having decided to renouced his Soviet citizenship and seek permission to emigrate to the USA, had made, during conversations with the chairman of the Village Council Ledenev and with police inspector Kovalev, deliberately slanderous statements to the effect that workers in the USSR are persecuted and that they are deprived of their rights and freedoms. The decision of the court viewed as dissemination of deliberately false statements the letters written by Shatalov to the Supreme Court of the RSFSR and to General Secretary of the Central Committee CPSS L.I. Brezhnev in which he complained about the arbitrary and illegal acts perpetrated against him and his family.

In the sentence it is noted that Shatalov pled not guilty and explained to the court that he had indeed written and sent through the mail several letters to various government bodies, but that in these letters he had described affairs as they really were.

And further: "The defendant thus incriminates himself with his own testimony to the effect that he had indeed written and sent through the mail several letters to various government bodies and that in these letters he had written only the truth."

7. On 9/28, in the city of Essentyki, Valentina Zaporozhets (age 51). a believer, member of the All-Union Church of True Free Seventh Day Adven tists, was arrested by the KGB.

According to the information that we have at our disposal, Zaporozhets is being charged under art. 190-1 Criminal Code RSFSR.

It is known, that prior to her arrest on 8/13/78, a search of her house was carried out, following forced entry into same, while neither she nor any other members of her family were home.

During the search, the following items were confiscated: religious literature, cash, savings books, a tape recorder, tapes, a typewriter, and personal documents. Zaporozhets' children have also been subjected to persecution.

On 9/13, her son Gennady, a believer, (age 25) was arrested for alleged petty hooliganism. He was in custody for eighteen days.

The younger daughter, Lilya Zaporozhets, (age 19) has been called in several times for interrogation; the police car comes down for her at various times of the day.

8. On 10/19/78, in the city of Bobruisk (Belorusskaya SSR) the KGB arrested worker-loader Mikhail Kukobaka (age 41).

Prior to his arrest, on 8/30-31/78, searches were carried on at the homes of Kukobaka's fellow workers, where samizdat literature, articles by Kukobaka and others, were confiscated. Moreover, the text of the Universal Declaration of Human Rights and "The Proceedings of the Supreme Court of the USSR", where the Final Act of the Helsinki Accords is printed, were also confiscated.

From 9/1/78, Kukobaka had been subjected to open, constant surveillance.

We would mention that earlier, in 1970, Kukobaka was arrested and charged under art. 70 Criminal Code RSFSR, was in pretrial custody for nearly a year, and then was declared menta lly unfit to stand trial, and was for almost three years confined by the court to Sychevskaya Special Psychiatric Hospital

The Moscow Helsinki Group, reporting on these instances of continuing persecution that have come to its attention, protests against the violation of the Universal Declaration of Human Rights of the UN, the thirtieth anniversary of the promulgation of which, we are commemorate at this time.

Elena Bonner
Sofya Kalistratova
Malva Landa
Naum Meiman
Viktor Nekipelov
Tatyana Osipova
Yuri Yarym-Agaev

Document 71

On the Trials and Tribulations of 25 People Trying to Emigrate

The Moscow Helsinki Group is taking this opportunity to publicize individual and collective statements which the Group has received from Soviet citizens who have been seeking, in some cases for several years, permission to emigrate from the U.S.S.R. Some of these statements are copies of those which people had sent without any result to official government agencies.

For wishing to emigrate the authors of these statements have been subjected to various repressive measures: firing from jobs, detention in psychiatric institutions, and criminal prosecution.

The Moscow Helsinki Group calls upon the government and public opinion in those nations which signed the Helsinki accords to give serious attention to continuing Soviet violations of the right of individuals to "leave any country, including their own."

December 8, 1978

Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Malva Landa
Naum Meiman
Viktor Nekipelov
Tatiana Osipova
Yuri Yarym-Agaev

The following section is a synopsis (compiled by the Helsinki Commission staff) of 29 statements received by the Moscow Helsinki Group from people who have been denied permission to emigrate from the Soviet Union. (Complete texts on file in Commission offices.)

1. To the Helsinki Signatory States: from A.M. (husband) and E.D. (wife) Yamilovich and their two-year-old son from Brovary, Ukraine, refused permission to emigrate to Israel because parents had refused to agree. After their parents agreed, they were then denied permission because Mr. Yamilovich had had access to state secrets. (October 30, 1977)

2. To the Supreme Soviet Presidium: from M.D. Zakharov, O. E. Gordienko, and S.V. Lebedev from Novosibirsk, Siberia who declare their desire to leave the U.S.S.R. based on the Universal Declaration of Human Rights. (February 20, 1978)

3. To the Supreme Soviet and to the Estonian Supreme Soviet: from I.A. Kisner, I.R. Ergard, and A.A. (illegible) from the city of Paide, Estonia who seek permission to emigrate with their families to rejoin relatives in West Germany. (undated)

4. To world opinion and to the Heads of Helsinki Signatory States: from L.S. Khubelanvili (?) who writes on her own behalf and those of her two sisters from Sukhimi, Ukraine who have been refused permission for five years to emigrate to Israel because they are not Jewish, although their mother was. (undated)

5. To delegates of the Supreme Soviet Eighth Session: from ten evangelical Pentecostals and Baptists from Lithuania who seek permission to leave the Soviet Union so that they might worship freely. (undated)

6. To the Moscow Helsinki Group: from A.S. Shatalova, T.N. Shatalova, A.N. Shatolov from Sukhaya Buivola, Stavropolsky krai, who seek permission to emigrate from the Soviet Union on the basis of the International Pact on Civil and Political Rights. After documents were submitted, daughter Tatiana was subjected to forcible psychiatric treatment. (February 9, 1978)

7. To the Moscow Helsinki Group: from Lidia Shastlivaya and daughter Irina from Moscow refused permission to emigrate to Israel due to access to state secrets. (October 21, 1977)

8. To world opinion: from Lev Sergeev, an artist, who spent 16 years in Soviet labor camps, and seeks permission to emigrate. (1978)

9. To Chairman Brezhnev, the Supreme Soviet Chairman, and to the Moscow Helsinki Group: from Ena Ryammeld from Tallinn, Estonia, who seeks exit visas for herself and her young son to be reunited with her husband in Paris. (April 26, 1978)

10. To the Moscow Helsinki Group: from Nikolai Rudnev from Voronezh who renounced Soviet citizenship in 1964, was subjected to psychiatric "treatment" and refused to emigration permission. (April 15, 1978)

11. To the Supreme Soviet Presidium: from E.B. Nikolaev, political dissident from Moscow, fired from work and subjected to psychiatric repression, seeks permission to emigrate. (February 25, 1977)

12. To U.S. President Jimmy Carter: from a group of former political prisoners from various parts of the U.S.S.R.: V. A. Repnikov, V.A. Semyonov, I.V. Ovchinnikov, Yu. Grimm, I. Gedra, Romas Juozopas, persecuted after their previous confinement, and who disagree with the principles of the Soviet state who wish to emigrate to the United States. (undated)

13. From Grigory A. Tokanyuk, a translator from Kiev who protests the persecution he has suffered due to his foreign social contacts. (February 1, 1978)

14. To the U.S.S.R. Supreme Soviet Presidium: from Evgeny B. Nikolaev of Moscow, victim of psychiatric abuse for his political views, renounces Soviet citizenship and requests permission to emigrate. (November 25, 1978)

15. To the Minister of Internal Affairs of Uzbekistan: from Aleksandr Miller of Navoi, Uzbekistan S.S.R. who seeks permssion to emigrate to West Germany (December 23, 1977)

16. To the Moscow Helsinki Group: from E.I. Neimotin of Alma Ata, Kazakhstan, refused seven times permission to emigrate, wants to join his aunts in Israel or the U.S. (June 5, 1978)

17. To the Moscow Helsinki Group: from Tamara Los of Mineralnie Vody, Stavropolsky krai, describes her persecution and that of her family, and her refusal to go through a medical examination (she had already been told she was mentally unsound) and the subsequent delay in visa processing. (October 29, 1977)

18. To Mr. David Owen, Foreign Secretary of Great Britain: from Aleksandr B. Magidovich, 46, from Tula, who was refused permission to emigrate on grounds of "access to state secrets." He refutes these claims and seeks aid in emigration. (October 29, 1977)

19. To the Moscow Helsinki Group: from the Kotovich Family (Maria, Yaroslav and sons Ivan and Pavel) from the village of Leshnev of Lvov oblast who seek permission to emigrate to Canada to be with Mrs. Kotovich's parents. Refused due to access to state secrets. (December 2, 1977)

20. To the Moscow Helsinki Group: from Vadim I. Konovalikhin from the city of Neman, Kaliningrad oblast who applied to emigrate to "any non-Communist country" and has been subjected to threats of judicial and psychiatric repression. Fired from his job, an appendix further details his experiences. (April 21, 1978)

21. To the U.S. President and Members of the U.S. Congress: from Anatoly M. Zinchenko from Kharkov, Ukraine who seeks to emigrate from the U.S.S.R. on the basis of the Universal Declaration of Human Rights. He requests political asylum for himself and his family in the United States. (undated)

22. To West German Chancellor Schmidt: from ten members of the Dymko family from the Rostov oblast who wish to emigrate to West Germany to join Grigori Dymko's father and two brothers. (November 28, 1977)

23. To the Moscow Helsinki Group: from Vladimir and Olinda and their children Natalya and Eduard Zeibel of Riga, Latvia who seek to join a sister in West Germany. They have repeatedly been denied permission because "you were born in the U.S.S.R." (undated)

24. To the Heads of the Helsinki Signatory States: from V. Gorelkin who seeks to join his sister and brother in Australia. Born in China, he now lives in Estonia. Granted permission to leave on condition that he cooperate with the KGB for seven months prior to his departure. Refused to cooperate and permission was withdrawn. (December 12, 1977)

26. To the Moscow Helsinki Group: from Lydia Aleksandrovna Drozdova of Minsk who seeks permission to emigrate to any non-Communist country. She has been expelled from her job for this reason. (November 12, 1977)

27. To the U.S.S.R. Supreme Soviet Presidium Chairman: from L. Valendo, L.A. Drozdova of Minsk (see above) with an appeal to Chairman Brezhnev for emigration permission. (January 25, 1978)

28. To the U.S.S.R. Supreme Soviet Presidium Chairman: from P. Borovik of Vladivostok, who renounced Soviet citizenship in 1960, and who has repeatedly sought permission to emigrate to any "except a socialist" country." (November 18, 1977)

29. To the Soviet Minister of Defense: from Vilnis T. Bulman from Shaulai, Lithuania, 36, ruled by medical authorities to be unfit for military service, writes that authorities threaten to draft him to delay his attempts to emigrate. (January 5, 1978)

MOSCOW GROUP FOR MONITORING THE HELSINKI ACCORDS IN THE USSR*

14 January 1979* Document No. 72*

Thirtieth Anniversity of the Universal Declaration of Human Rights

On the day marking the thirtieth anniversary of the Universal Declaration of Human Rights, Soviet authorities staged a campaign in support of this important document. There was an official "citizens meeting" held in Moscow. In the central newspapers, Pravda and Izvestia articles appeared comparing the "illusory" rights in the West with the "actual" rights provided by the policies of the CPSS in our country.

On December 10, in accordance with established tradition, a number persons gather together on Pushkin Square in Moscow to express their solidarity with the basic principles of the Declaration of Human Rights and to honor the memory of victims of cruel violations of these rights. People meet at 7:00 o'clock in the evening without slogans and placards, no speeches are made, they bare their heads and stand in silence for five minutes.

The authorities mobilized huge forces in order to prevent this peaceful silent demonstration from taking place. The watchword of Sunday's KGB and police operation one might consider to be: "Take the lesser of two evils" (this was said to T. Velikanova by the KGB agent who picked her up) The greater evil - a peaceful demonstration on Pushkin Square. The lesser - the flagrant violation by the authorities of Soviet and international laws and the flouting of the basic principles of the Declaration of Human Rights.

The assignment for the administrative organs was to see that the demonstration did not take place, using whatever means necessary. Therefore those people who were particularly suspected of intending to go to Pushkin Square were detained the minute they left their homes by the police and KGB operatives, and without any explanation taken down to local police sub-stations or to the housing offices at their apartments, etc. Their were kept there until 9:00 in the evening and then allowed to go home. G. Vladimov, leaving his house in the morning, was told that if he attempted to make his way to his car, a bus stop, or a subway station, he would be detained immediately. T. Velikanova was stopped by KGB agents as she left her house in the evening and taken to a sub-station where she spent over three hours under the guard of Major Kryazhin. V. Bakhmin and A. Khromova were picked up as they left their homes. The persons who accorted them noted sarcastically that they should have been a little more careful and not leave their houses. P. Egides, T. Samsovova, Yu. Gastev, P. and S. Starchik, V. Elistratov didn't get away from their homes "in time" and spent several hours under KGB guard. Some persons experienced even worse fates: P. Podrabinek, having come to Moscow on business, was forcefully removed to Elektrostal, and M. Kremen was beaten while under detention.

Police and KGB units were placed around the center of Moscow in great numbers. Yuri Grimm and A. Lifshitz were picked up on Mayakovsky Square - L. Agapova and V. Baranov at the Krasnopresnenskaya Metro station.

At the very approach to Pushkin Square the following individuals were detained: V. Kuvakin, V. Samoilov, O. Svobodin, L. Ternovsky, I. Grivnina; in the pedestrians' underground crossing - Yu. Denisov.

However, despite such strenuous preventive measures, several dozen persons met on Pushkin Square. The front part of the Square had been blocked off by a fence in advance, on Sunday evening repairs were being carried out. Those who arrived gathered on the unobstructed section (of the Square) at 7:00 in the evening, and taking off their hats, stood in silence for five minutes - that was the extent of the demonstration.

Police and Chekists (derogatory term for police and KGB operatives, after original name of secret police immediately following the Bolshevik Revolution: Cheka - ed.) flooded the Square and attacked the demonstrators. These were mostly people in civilian attire; they didn't produce any identification. During the demonstration, V. Nekipelov, F. Serebrov, V. and a few others were grabbed. Serebrov was beaten in the face until he was bleeding. Others who were present attempted to come to the aid of those who had been picked up, but they themselves were grabbed and taken down to 108th Precinct Police Headquarters or to the sub-station on Chekov Street. Many were picked up after the demonstration had finished, when they were on their way home. Some people went to the police stations of their own accord, to find out what had happened to those who had been taken away - the same fate awaited them.

Below follows an incomplete list of those who were detained on Pushkin Square: F. Serebrov, V. Sorokin, S. Sorokina, V. Nekipelov, Matti Vilyak, N. Komarova, Yu. Rossomakhin, T. Osipova, A. Lavut, S. Khodorovich, A. Naidenovich, A. Armand, D. Leontev, A. Romanova, E. Nikolaev, E. Alekseeva, N. Aptekar, L. Aptekar, A. Lipskaya, B. Chernobylsky, I. Fedorova, A. Reznikov, Ya. Shmaevich,

S. Ermolaev, M. Podyapolskaya, I. Kovalev, O. Kurganskaya.

At the police station , the detainees encountered rude treatment, in the majority of cases, the policemen refused to show their identification; as a result we know the names of few of the participants in this operation: the captains of the 108th and 129th Police Precincts, the head of the Raion Administration Colonel Zubkov, KGB majors Kryazhin and Nesterenko.

On this same day, similar preventive measures were taken with respect to several residents of Kiev. G. Tokayuk, O. Matusevich, L Kheina, Ya. Borodovsky, P. Stokotelny, V. Malinkovich, M. Gorbal, and V. Dubrovets were detained at 4:00 in the afternoon and held for over five hours.

The police and Chekists in Kiev decided to append a pseudo-legal form to their raid. The majority of those who were picked up were charged formally with crimes: O. Matusevich - with smuggling narcotics, L. Kheina - with violation of the residence laws, V. Dubrovets - with speculating in books, V. Malinkovich - with practicing medicine illegally.

The many police and KGB agents involved in the operation the participation of high-ranking personnel, the wide geographical scope (Moscow, the Moscow suburbs, Kiev) - leaves no doubt that this was anything but an arbitrary move on the part of local authorities. It is fairly obvious that the operation in question was sanctioned on a high level, perhaps even on the highest level, where the orders were given to hold meetings and print articles in honor of the 30th anniversary of the Declaration of Human Rights, at the very level, where the Declaration itself was ratified.

The authorities undertook clear violations of their own government's laws, which once again undermines faith in these laws. Without a doubt, the authorities' actions described above have produced a most corrupting influence on the police officers who are supposed to uphold the law and who were the ones who violated it in this case.

At the same time, the authorities have clearly violated international agreements, in particular the Declaration of Human Rights, to wit, such articles as No. 3, proclaiming the right to inviolability of one's person, article No. 9, forbidding arbitrary arrest or detention, article No. 11, proscribing unwarranted preventive measures article No. 20, proclaiming the right to peaceful assembly, article No. 30, forbidding any government or group of people to engage in any activity or perform any act aimed at the destruction of the rights and freedoms set forth in the Declaration.

The violation of the articles noted above has taken place several times in our country. The fact that the scope of these violations is increasing is a source of concern. It should be noted that in this case the demonstrators, it would seem, were not at odds with the authorities regarding the principles of the issue - both sides were expressing their approval of the Declaration of Human Rights. The events that took place demonstrate that contradictions do exist and that Soviet leaders to this day do not wish to recognize such concepts as the rights and freedoms of each individual person.

We are including with this document articles from the newspapers "Pravda" and "Izvestiya", reflecting the Soviet government's official campaign and the written testimony of people who were directedly involved in the events of 10 December.

Elena Bonner	Viktor Nekipelov
Sofya Kalistratova	Tatyana Osipova
Naum Meiman	Yuri Yarym-Agaev
Malva Landa	

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* These headings are not contained in the original document

GROUP FOR MONITORING IMPLEMENTATION OF THE HELSINKI ACCORDS IN THE USSR

25 January 1979 Document No. 74

As we learned from a "Voice of America" broadcast, on January 23, 1979, State Department press officer Hodding Carter gave an explanation for the decision to send an American delegation of scientists headed by President Carter's advisor on scientific affairs, Dr. Press, to Moscow in February of this year for discussions on scientific and technological contacts.

In this connection, Hodding Carter told representatives of the press that the decision to send the delegation (whose visit was postponed in the summer of 1978) was motivated by the fact that the human rights picture in the Soviet Union had improved considerably; the number of Jews who have received permission to emigrate has increased; judicial repression against dissidents has "quieted down".

Hodding Carter apparently does not know that hundreds of Jewish refuseniks continue in vain to seek permission to leave; dozens of persons, "guilty" only of persistence in pressing for their right to emigrate (Ida Nudel, the Slepaks, Begun, Nashpits, Tsitlenok, and others) continue to serve out their sentences, to say nothing of the fact that the right to leave the country and return is granted only to Jews. Hodding Carter has forgotten that all the human rights activists who were sentenced in 1978 without justification (as were hundreds of others sentence earlier) are serving harsh sentences and that not one prisoner of conscience has been released, and that the conditions in the camps have worsened considerably.

Hodding Carter must not know that in the second half of 1978, dozens of human rights activists have been arrested, convicted, or are awaiting trial in many of the cities of the USSR. The disruption of the peaceful demonstration on December 10, 1978, in Moscow hardly points to an "improvement" in the human rights situation.

But here are more facts that show how much repressions have "quieted down"; on January 25, six searches were carried out simultaneously in Moscow and its suburbs at the residences of the editors of the samizdat journal "Poiski" and those who associate with these editors. During the searches, not only were typewritten issues of the journal "Poiski" seized, but also various other documents and materials, including personal literary and scientific files of those whose premises were being searched. Also confiscated were typewriters and books that had been published abroad.

Searches were conducted at the premises of: Raisa Lert, Viktor Sokirko, Yuri Grimm, Valery Abramkin, Viktor Sorokin, Gleb Pavlovsky.

Editoral board member Petr Egides was subjected to a body search at Yuri Grimm's apartment - without a search warrent or sanction of the public prosecutor.

A personal notebook and draft manuscripts of Egides' articles were forcibly removed from his briefcase and his pockets. During the search at Lert's residence, files and personal documents (including a pension booklet) belonging to Malva Landa were confiscated.

After the searches were concluded at their apartments, Grimm, Sokirko, and Abramkin were taken to the public prosecutor's office where they were subjected to interrogation.

Judging from the general trend of the questions, there is reason to believe that the authorities are working up a new "case": against the journal "Poiski".

This open publication, created by a group of individuals, is a journal of theoretical and literary discourse (there have been four issues in all, the fifth has been completely confiscated).

One should note particularly the cynicism and cruelty that accompanied the search at the premises of editorial board member Lert.

Raisa Borisovna Lert is a member of the Writers' Union, a professional person of letters (journalist, editor, author of numerous articles) she is now seventy years old. Despite serious chronic illnesses, she has continued her literary, and has actively participated in the human rights movement.

At the search was initiated, Raisa Borisovna was seriously ill (double pneumonia) and in her bed. This did not deter the investigator from the public prosecutor's office or two others in civilian attire who took part in the search. These latter did not identify themselves, nor were they included in the search warrant. The search went on for five hours, and was not even halted while a nurse came to give Raisa

Borisovna an injection of antibiotics. (The "plainclothes" types told the nurse that a search was going on, and questioned her as to who had sent her to Lert, and at what medical facility she was employed.)

The nurse's visit, the searchers, already fully aware that Lert was seriously ill, compelled her get up from her bed, so that they might check her bedding.

Raisa Lert, Petr Egides, Viktor Sokirko, Yuri Grimm, Valery Abramkin, Gleb Pavlovsky, Viktor Sorokin are not criminals, they have openly and freely expressed their thoughts and opinions on social, ideological, and economic problems, on questions of culture, etc. Nevertheless, the ominous danger of "criminal" retribution is hanging over them. They need the defense of public opinion.

The clearly mercantilistic and unrealistic statement by State Department press officer H. Carter can only disinform public opinion and weaken the struggle for human rights.

Sofya Kalistratova
Malva Landa
Naum Meiman

Viktor Nekipelov
Tatyana Osipova
Yuri Yarym-Agaev

GROUP FOR MONITORING IMPLEMENTATION OF THE HELSINKI ACCORDS IN THE USSR

On Special Courts

Document No. 75

Laws may be good or they may be bad, it is possible and necessary to criticize laws, striving to improve them.

But one thing is undeniable: any government claiming for itself the status of a legally established state, demanding that its citizens obey those laws that are in force, must obey its own laws.

Among the gross violations of human rights in our country must be included the activities of an entire system of courts, the existence of which is in direct contradication to the present Constitution of the USSR and to the legislation on judicial procedure in the USSR.

In art. 102 of the Constitution of the USSR of 1936, it was established that judicial procedure might be carried out not only by general courts, but also by "special courts of the USSR, created by decree of the Supreme Court of the USSR".

During all the time that the old Constitution was in force, not one law (or decree) had been published as to the procedure for creating these special courts or what their activities had entailed.

However, their existence and activities constituted a violation of the principle of equality of all citizens before the law.

In art. 151 of the new Constitution of the USSR, adopted on October 7, 1977, an extensive list of the judicial institutions of the USSR is presented, from which special courts are excluded: the existence of special courts is consistent neither with the "Foundations of Legislation on Judicial Procedure in the USSR" (1958), nor with "The Statute on the Supreme Court of the USSR" (1957), nor with the currently operative procedural codes of the Republics.

Nevertheless, special courts, having no names, just numbers, (for instance, Moscow's Court-12 on Danilovsky Val, 13a) are in operation. They handle a large number of cases and render verdicts and sentences not only in criminal, but also in civil cases (including labor disagreements, housing matters, family disputes, etc.)

As mentioned above, there has never been any published legislation regarding these courts. The "justice" meted out in these cases is a matter of the utmost secrecy.

Who, when, where, and through what procedure are judges for these special courts selected and assigned? ("All courts in the USSR are formulated on the principle of election of judges and peoples' assessors" - art. 152 Constitution of the USSR). In the current statute concerning the election of judges, there is no answer to the above question, inasmuch as special courts are not mentioned in this statute. Let us examine some "particular traits" that we are aware of the with regard to the workings of the special courts as they compare to the procedural standards in force in the USSR.

1. The UPK (Criminal Procedure Code) and the GPK (Civil Procedural Code) deliniate the territorial jurisdiction for the Peoples' Courts.

> "The Raion (municipal) Peoples' Court has jurisdiction over all cases, except those which fall under the jurisdiction of higher courts and military tribunals" (art. 35, UPK RSFSR)

> "The cases is to be heard in that court located in the area where the crime took place...." (extract from art. 41, UPK RSFSR)

> "Civil cases, falling under the purview of judicial institutions are to be heard by the Raion (municipal) Peoples' Courts" (art. 113, GPK RSFSR)

> "Suits are to be brought in the court whose jurisdiction applies to the place of residence of the defendant. A suit brought against a juridical person must be presented in the venue of the (judicial) institution or the estate of the juridical person" (art. 117, GPK RSFSR)

There exists a secret list of enterprises, institutions and even certain populated areas, where the jurisdiction of the general courts does not apply in either criminal or civil cases to persons working in these enterprises or institutions or living in these populated areas. If this list includes such leading institutes of the Academy of Sciences as the Lebedeve Institute of Chemical Physics, then one might assume that any Soviet enterprise or instituion might be included in this list.

These cases are heard only in special courts.

We can refer to the following example: Yuri Yarym-Agaev, a researcher at the Institute of Chemical Physics of the AN (Academy of Sciences) of the USSR, was transferred from one laboratory to another. Feeling that his transfer was unjustified, Yarym-Agaev, acting in accordance with arts. 113 and 177 GPK RSFSR and art. 201 KZOT (Code of Labor Legislation) RSFSR, took the case to the Raion Court of the Oktyabrsky Raion, Moscow, to demand reinstatement to his former position.

His case, however, was not accepted for hearing by the Peoples' Court and referred to the Special Court No. 12. A complaint against this illegal refusal to accept a suit petition was sent to the Moscow Municipal Court, where, in violation of art. 214 GPK, it has not as yet been considered nor acted upon.

This is one confirmed instance that we are aware of where the principal of equality before the law and the courts has been violated.

2. Art. 18 UPK RSFSR and art. 9 GPK RSFSR declare that judicial processes should be a matter of public disclosure; closed hearings are provided for only in exceptional circumstances (protection of state secrets, protection from public disclosure of personal information concerning the principles in the court action). But even in these situations, the decisions and sentences of the courts must be open to the public. In special courts, all the proceedings are conducted in secret, including promulgation of the verdicts and sentencing.

Thus not only procedural norms, but also the basic Constitutional principle of open trials is being violated (art. 157, Constitution of the USSR).

3. Art. 47 UPK RSFSR and art. 44 GPK RSFSR establish that defense counsel (in criminal cases) and representatives of plaintiffs and defendants (in civil cases) may be attorneys and other persons stated in the law (including any person, granted permission by the court).

In special courts, attorneys and "other persons" acting as defense attorneys or representatives of their client's interests are not allowed into the courtroom.

Within the confines of the special courts, there exists "special lawyers", who are not members of the bar, who, according to the information we have, receive their salaries from the State Budget Office (that is, they are government employees). They are the only ones who are allowed to serve as "defense counsel" and "representatives" for plaintiffs and defendants in special courts.

Thus the basic Constitutional principle of the right to a defense is violated (art. 158, Constitution USSR)

4. Arts. 30 and 213 GPK RSFSR state that both sides in a court case have the right to obtain copies of the court's decision.

At special courts, copies of the court's decision are not released, and the participants (plaintiff, defendant) are only given the chance to examine the court's decision within the courtroom itself.

We do not have at our disposal information as to whether person convicted of criminal charges at given copies of their sentences, as provided by art. 230 of the UPK RSFSR.

The strict secrecy that surrounds the activities of special courts does not allow us to gather more detailed information. But even the facts brought out above are sufficient to raise a protest against the existence and actions of special courts, which represent the pre-eminence of secrecy in our country and violate, for a significant number of individuals, the right to equality before the law.

Document 76

Socio-economic Rights in the Universal Declaration of Human Rights, the International Labor Organization, and the International Covenant on Civil and Political Rights Ratified by the Soviet Union

The Persecution of Individuals Attempting to Organize an Independent Association for the Protection of Workers' Rights: Harassment of Individual Workers

People who seek to create independent associations for the protection of workers' rights, as well as individual workers who insist upon their rights or who try to realize them without going through official channels, are being persecuted. Frequently, they are artificially implicated in criminal cases and sentenced to lengthy terms of imprisonment. They are often placed in psychiatric hospitals, and sometimes placed in hospitals that are really prisons -- "special hospitals."

This was true of Vladimir Klebanov who in November/December 1977 announced the creation of an Independent and Free Trade Union. Soon after, he was arrested and placed in a psychiatric hospital. For almost a year now, he has been in a special hospital in the city of Dnepropetrovsk. Others who participated in this group were also targets of punishment and threats (E. Nikolaev, Gavriil Yankov, etc.)

In November 1978, a group of representatives announced the formation of the Free Interprofessional Union of Workers (SMOT) whose goal is the defense of workers' rights and mutual assistance. At a press conference for Western reporters, the group made public the names of ten members of the SMOT Council of Representatives. Not long before, the name of Vladimir Skvirsky, later arrested, had also been announced. Representatives, members and founders of SMOT -- V. Novodvorskaya, L. Volokhonsky, A. Ivanchenko, E. Nikolaev, N. Nikitin, and others -- have begun to be subjected to threats and repression. These are carried out either directly by the KGB or by the MVD (Ministry of Internal Affairs) or, acting on KGB orders, by medical workers as well as by public authorities.

Here are a few examples:

On November 24, Valeria Novodvorskaya was seized by KGB agents, taken to a police station and then placed in a psychiatric hospital (Moscow Psychiatric Hospital 15.) She is still there, assigned to a ward for the hopelessly insane. She is being threatened with forced medication and commitment for an indefinite period of time to a special psychiatric hospital. The psychiatrists have questioned Novodvorskaya about SMOT. Who organized it? Do they have ties to workers? What are the political aims of the independent trade unions?

The head of the library where Novodvorskaya was employed played an active role in her arrest. A few days before Novodvorskaya's arrest, another woman searched her briefcase in her absence, allegedly finding a samizdat journal, The Chronicle of Current Events, number 49. She then turned this journal over to the KGB. Then, "on the orders of the authorities," this woman had a "talk" with Novodvorskaya. During their conversation, she regretted that this was not 1937. She noted that now Novodvorskaya would be dealt with by "those methods" with which Novodvorskaya was very familiar. She also questioned her about the Chronicle.

Valeriya Novodvorskaya, born in 1950, has an advanced degree in the humanities (she is a philologist.) She first fell victim to repression nine years ago. On December 5, 1969, she distributed leaflets with her poetry which condemned the Soviet invasion of Czechoslovakia. She was arrested and spent three years in confinement, mostly in a special psychiatric hospital in Kazan. She was forcibly subjected to medication; her diagnosis was then "sluggish schizophrenia."

Lev Volokhonsky, 32, completed four years at the Geography Department of Leningrad University. He then worked as a driver, an elevator operator, etc. The KGB, pressuring his friends, threatens Volokhonsky with major persecution. Several of Volokhonsky's friends were summoned for interrogations by the KGB to be told that Volokhonsky is a state criminal as dangerous as Aleksandr Ginzburg (whom the authorities had granted forgiveness for his espionage activities.) The authorities intend to charge Volokhonsky with espionage and have inquired about his distribution of the book Gulag Archipelago and other "anti-Soviet and ideologically harmful" literature.

Lev Volokhonsky and Vladimir Borisov, who were in Moscow during and after the SMOT founding was announced, were detained by the police who broke into their apartment. They were placed in a holding cell for vagrants, people without documents or housing, etc. They were then sent back to Leningrad where they were registered to live. There they have been put under constant 24-hour surveillance by KGB agents

Aleksandr Ivanchenko, a young engineer, was warned not to be active in SMOT and not to sign human rights documents. If he does not obey these requests, he will be arrested. For good behavior he has been promised an apartment and a good job. He and his invalid wife and two small children now live in very poor conditions. This warning was first delivered through Ivanchenko's father and sister who were summoned to the KGB.

Later, Ivanchenko was taken straight from work to the KGB headquarters in the Bauman district of Moscow. He was held several hours and threatened with immediate arrest. Two agents, who refused to identify themselves, and KGB Colonel Lavrov spoke with him. The latter, in particular, told Ivanchenko that he was not required "to recant or give any written guarantees, just to withdraw from SMOT." In the worst case, "the procurator would decide on the charge" against Ivanchenko. Colonel Lavrov also announced that SMOT was run by the CIA!

Evgeny Nikolaev, born in 1939, graduated from the Geography Department of Moscow State University and, until 1970, he worked in his professional field. Since 1970, he has been subjected to psychiatric repression for refusing to participate in so-called public events, "socialist competitions", subbotniki (volunteer work days) etc. As a founding member of the Free Trade Union established by V. Klebanov, he was placed in the Moscow Kashchenko Psychiatric Hospital, where he has remained for over six months. A report on his stay in this hospital, including Nikolaev's own description, is in "Information Bulletin" 12 of the Working Commission on Psychiatric Abuse, October 1978.

After the SMOT founding was announced, Evgeny Nikolaev was threatened with life imprisonment in a psychiatric hospital. Nikolaev was approached on the street by a policeman and a KGB agent, the same man who oversaw his detention and placement in the psychiatric hospital in February 1978. This policeman told Nikolaev, "They are talking about you too much on the "Voice of America." If this continues, we'll send you so far away that no one will ever find you..."

Mark Aronovich Morozov, about 50, is a Candidate of Mathematical Sciences. It was at his apartment that the press conference was held at which the formation of SMOT was announced. Two days later, he was arrested by the KGB. Preliminary reports indicate that he is to be charged under Article 70 RSFSR Criminal Code, "anti-Soviet agitation and propaganda." He is currently being held in the Lefortovo KGB Investigatory Prison in Moscow.

A few days after his arrest, Morozov's apartment was searched and SMOT documents, among others, were confiscated. Staying as guests in Morozov's apartment were another SMOT founder, 19-year-old Albina Yakoreva, and her infant son. After the search, she was forced out of the apartment under threat of criminal penalties for violation of passport rules. (Yakoreva was not registered to live in Moscow.) She had to leave Moscow.

The fate of workers who have shown interest in organizing associations to defend workers' rights -- Mikhail Kukobaka, Eduard Kuleshov, Evgeny Buzinnikov, Yuri Valov -- is likewise revealing.

E. Buzinnikov, born in 1938, a metal worker from the city of Svetlogorsk, was arrested in May 1978 and sentenced to three years in a strict regimen camp. His case is described in Moscow Helsinki Group document 70, December 1978, and in an open letter written by Viktor Nekipelov and published in the Western press.

It should be remembered that the investigation and trial found Buzinnikov's crimes to be the following: copying P. Grigorenko's foreword to Mykola Rudenko's book, Economic Monologues (Buzinnikov made one copy); intending to duplicate -- on a typewriter -- the book Economic Monologues (that is, he contemplated making several copies of the book); writing a letter to Academician Andrei Sakharov which did not reach the addressee but found its way to the files of the KGB (sent there by the first department of the Soviet Academy of Sciences); writing a letter to V. Nekipelov which also did not reach the addressee. E. Buzinnikov, who maintained his innocence, is now in strict regimen camp Sverdlovsk oblast, Azanka station, institution I-299/2-1-4.

Mikhail Kukobaka, born in 1936, was arrested in October 1978, on charges of anti-Soviet slander. He is being held in the Mogilevsk prison. There are reports he will be sent for psychiatric tests to the Moscow Serbsky Institute. Already in August several of Kukobaka's friends had their apartments searched and literature and letters allegedly belonging to Kukobaka were seized.

Mikhail Kukobaka is the author of a number of samizdat publications: "Notes on the Sychev Special Psychiatric Hospital" (1976); "International Detente and Human Rights are Indivisible" (1977); an open letter to Minister of Health Petrovsky on psychiatric repression in the U.S.S.R. (1977); an open letter to KGB Chairman Andropov (1978); an article "Stolen Homeland" (1978); and others.

Kukobaka sent an open letter to L. Brezhnev in February 1978 expressing his support for the Free Trade Union announced in 1977. In this letter, Kukobaka cites examples, drawn from his own experience, of flagrant violations of safety regulations and other infringements of workers' rights. He asserts that the "state trade union covers up abuses by the authorities," and he protests the harassment of Free Trade Union organizers aimed at intimidating "those workers who are more aware of their rights." M. Kukobaka has signed many human rights documents.

M. Kukobaka's tragic fate is mentioned in many human rights documents; he also has described his own situation in several articles. First arrested in 1970, charged with anti-Soviet slander and certified mentally ill, he spent six years in confinement, including three years in the Sychev Special

Psychiatric Hospital. He was incriminated for: resigning from the state trade union; refusing to vote or take part in subbotniki, etc,; private comments ("oral fabrications"); and writing an open letter to an English author (not sent.)

After his release in 1976, Kukobaka -- by profession an excavator -- worked as a stevedore at a factory in Bobruisk, Mogilevskaya oblast, Belorussia. From the fall of 1976 until the fall of 1977, he was forcibly hospitalized in the oblast psychiatric hospital first for distributing the text of the International Declaration on Human Rights; second for refusing to remove this text, an icon, and pictures of Andrei Sakharov and Petr Grigorenko from above his factory dormitory bunk.

After he was released from the psychiatric hospital in 1977, Kukobaka first had nowhere to live. He was evicted from his dormitory by order of the Bobruisky Leather Enterprises director; he had worked there. He spent his nights in the train station. Only after he promised in writing not to display the International Declaration on Human Rights, photographs of human rights activists and religious articles was Kukobaka allowed back into the dormitory. He lived there under one year -- until his arrest in October 1978.

Eduard Kuleshov, arrested in Taganrog on December 6, 1978, is charged with anti-Soviet slander and is held in investigatory prison. Searches -- for books and documents written by hand and typewritten -- were conducted in the homes of Kuleshov's relatives in Taganrog.

E. Kuleshov, who is about 40 years old, worked as a driller at a factory combine in Taganrog. In 1977-78 he was questioned by the KGB about dissemination of tape recordings of Solzhenitsyn's book, Gulag Archipelago. Many were questioned in this "case." In February 1978, Kuleshov was warned under the terms of the December 25, 1972 Supreme Court Order.

A letter mailed by Kuleshov in August 1978 to Mikhail Kukobaka in which he describes flagrant Soviet human rights abuses did not reach its addressee but was apparently intercepted by the KGB. Kuleshov, who served an earlier sentence in corrective labor camps, has made a detailed study of Soviet criminal law. He had collected material on legal infractions and juridical discrepancies in E. Buzinnikov's trial and planned to publicize them. Kuleshov's own arrest put an end to these plans.

Yuri Valov, a resident of Tuchkovo in the Moscow oblast, was forcibly committed to a psychiatric hospital in late October 1978. Yuri Valov, born in 1938, is a worker who is forced since 1976 to be unemployed. Since 1961, he has been a work invalid of the second category (he lost the use of his right hand.)

After his illegal dismissal from the Moscow Mechanical Factory, he appealed to various Soviet institutions, such as the district court, the RSFSR Supreme Court, the procuracy and the press. On November 7, 1976, he tried to meet a U.S. embassy representative. He was detained by police and sent to the Moscow oblast psychiatric hospital for almost three months and subjected to forcible medication. This was Yuri Valov's first experience of psychiatric repression.

Recently, Yuri Valov became interested in the formation of an association to protect workers' rights. At the same time, he showed great interest in the defense of human rights in the U.S.S.R. His signature is on numerous joint statements defending repressed members of the Soviet Helsinki groups.

In October 1978, Yuri Valov released a press statement, "The Statement of an Invalid" in which he wrote:

"Such basically socio-economic phenomena as the following are also Soviet human rights violations: The very difficult material situation of underpaid laborers and service workers, including tens of thousands of people who receive a monthly wage of 60 to 70 rubles in blatant exploitation of their labor ... I will back up these assertions with examples from my own experience. In 1961, when I was 23, while working in a military factory in the Gorky oblast, I became permanently disabled. In 1962, I married a disabled girl. A year later, we had a son, Valery. In 1968, he also became disabled -- he was blinded in one eye in a playground. All these years, my wife and I have managed to get by on a pittance, on a subsistence level..."

"In 1976, I was illegally dismissed from my job at the Moscow Mechanical Factory, allegedly due to staff reductions. These machinations by the management -- which had already hushed up another injustice done me in 1975 -- now resulted in my expulsion from the factory. These actions were faithfully defended by the trade union, the courts, all levels of the Procuracy, the U.S.S.R. Council of Ministers, the Supreme Soviet Presidium, and even by the U.S.S.R. Communist Party Central Committee. For this reason, I became an advocate of independent labor unions and the movement to defend the rights of the disabled in the U.S.S.R. The existing Soviet trade unions and public organizations are facades and do not live up to their responsibility to protect workers' rights."

"In addition to these instances of civil and socio-economic discrimination which I have experienced in the last few years, I add the following:

"The state is attempting to stifle -- from their inception -- any attempts to create independent associations for the protection of workers' rights and for the legal struggle for social rights."

(Information on Yuri Valov and the full text of "The Statement of an Invalid" can be found in the "Information Bulletin" Number 13 of the Working Commission on Psychiatric Abuse, November 1978.)

We stress that flagrant violations of many provisions of the Universal Declaration of Human Rights, including Articles 5, 7, 8, 9, 10, 11, 18, 19, 20/1, etc. are evident in the cases described above. In addition, such cases serve as examples of the complete disregard of the humanitarian sections of the Helsinki Final Act.

January 20, 1979

Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Malva Landa
Naum Meiman
Viktor Nekipelov
Tatiana Osipova
Yuri Yarym-Agaev

GROUP FOR MONITORING THE HELSINKI ACCORDS IN THE USSR

25 January 1979

Document No. 77

The Movement for the Defense of the Handicapped in the USSR- Under the Threat of Persecution

On 9 March 1979, the Moscow Helsinki Group released Document No. 53 - concerning the status in the USSR of persons whose motor functions had been seriously affected: disabled through industrial accident, congenitally handicapped, permanently injured through accident, or handicapped from illness. Soon after this, in May 1978, the Initiative Group for the Defense of Handicapped Rights was organized, and its existence was announced at a press-conference in Moscow on 25 October 1978. The members included Handicapped - First Group Yu. Kiselev (Moscow), B. Fefetov (Yurev-Polsky, Vladimirskaya Oblast) and F. Khuseinov (Chistopol, Tatarskaya ASSR).

From the first days of its existence, the Inititiave Group had declared that it existed as a legal public organization, having no other goals than to organize handicapped persons. In its statement of 20 May 1978, it was declared that its task was to collect and disseminate information about the status of handicapped person in the USSR, to petition pertinent government agencies for improvements in the social services programs for the handicapped, and only in the case of refusal to entertain these petitions - to appeal to international public opinion for aid. The considers its major task to be the creation of an all-union association of the handicapped.

The Initiative Group began to issue an "Information Bulletin", in which it published it's dodments and various materials about the status of the handicapped. One of the issues was sent to the social services agencies with a request that the contents therein be brought to the attention of the Supreme Soviet of the USSR.

The group has developed and is distributing a sociological questionnaire among the handicapped. As the results demonstrate (at the moment, about 10(?) questionnaires have been collected) all the respondees have unanimously come out in favor of the creation of an association of the handicapped which would exist outside the facade of concern represented by the social services agencies, for significant improvement in the car of the handicapped in the USSR, for the creation of an independent publication.

Despite the open nature of the activity of the Initiative Group, which does not contradict the Universal Declaration of Human Rights (art. 20) and the International Pact on Civil and Political Rights (art. 22), the authorities took a negative stance with regard to the creation of the Group. The Bulletin that was sent for further transmission to the authorities in government was passed to the KGB. Instead of hearing the handicapped out, understanding their problems and taking them to a proper solution, the authorities apparently intend to once more take the course of injunction and resistance to social initiative.

On 6 December 1978, representatives of the government (Chairman of the Raiispolkom Semenov) the social services sector (Director of the Raion Committee Glushchenko and (KGB) Colonel ?ibaev[1]. from the Vladimirskoe UkKGB and Chief of the Raion Section UkKGB, city of Kolchugino, Korovushkin) arrived at the apartment of one of the members of the Initiative Group, V. Fefelov.

The visit was repeated on 12/28/78, at which time instead of the Chairman of the Raion Ispolkom, apparently for more of an intimidation effect, the Chairman of the Vladimirsky Oblast Court was present.

It was suggested that V. Fefelov discontinue his work with the Initiative Group, identified as "illegal" and "anti-Soviet", and also (cease working on) the publication of the Information Bulletin. KGB Colonel ?ibaev threatened V. Fefelov with the same sort of measures as had been carried out against members of the Helsinki public group, Yu. Orlov, A. Ginsburg, A. Shcharansky, M. Rudenko, and others. At the same time, it was posited that the work of the Initiative Group was a subsidiary to the Moscow Helsinki Group, also identified as "illegal" and "anti-Soviet" and several improper innuendoes were directed at Group members E. Bonner and V. Nekipelov.

Simultaneously withthe official warnings that were given to V. Fefelov, the pressure on the Group was intensified in other ways. Some members of the Committee of War Veterans of the USSR showed up a Yu. Kiselev's apartment in Moscow, and upbraided (the Group) for "illegal" activity. He started to anonymous threatening phone calls, and in the village of Plenarkom, at the southern bank of the Crimean, where Yu. Kiselev has a summer work studio, the authorities tried to confiscation this studio on the grounds that it has been built illegally.

The Moscow Helsinki is concerned about these turns of events. Today's "warnings" from the authorities to the Initiative Group for the Defense of the Handicapped might mean that very shortly repressive measures may be undertaken against the members of this group.

Can it really be that even the seriously handicapped may be subjected to surveillance, searches, and arrest - merely for standing up for their natural rights?

The Initiative Group for the Defense of the Rights of the Handicapped is not a "daughter" group of the Moscow Helskinki Group, is not part of the latter's organization, and does not act under the instruction of the Moscow Group. However, we are sympathetic to the work of the Initiative Group, understand its problems, and will view any repressive measures undertaken against it as new violations by the Soviet government of obligations agreed to in providing its citizens with indispensible political, cultural, and, it this case, socio-economic rights, called for by international human rights documents.

Moscow Helsinki Group:

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Sofya Kalistratova
Malva Landa
Naum Meiman
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MOSCOW GROUP FOR MONITORING THE HELSINKI ACCORDS IN THE USSR

30 January 1979

Document No. 78
(Appendix to Doc. 70
of 8 December 1978)

New Repressions

The repressions are continuing - arrests, trials, severe sentences - for human rights and religious/education activity, for aiding prisoners of conscience.

On 8 December 1979 - on the eve of the 30th anniversary of the Universal Declaration of Human Rights - in the city of Chernovtsy - Ioseph Zisels was arrested on charges of "slander" against the Soviet system. He is in prison under investigation.

I. Zisels, born in 1946, complete his university education in physics, had lived with his wife and child in the city of Chernovtsy, and worked as an engineer in a television studio. I. Zisels had been rendering voluntary legal aid to Baptist workers who had appealed to him in connection with religious persecution they were experiencing. He had also written a series of statements in defense of their violated rights; had aided prisoners of conscience who were in prisons, camps, exile, and also in special psychiatric hospitals. The signature of Ioseph Zisels appears on many of the collective human rights documents that have appeared in recent years.

I. Zisels experienced his first search in the summer of 1970, during which works of Solzhenitsyn and Nabokov (Invitation to an Execution) were confiscated. In 1977, he received a "warning", eminating from the KGB and confirmed by the District Attorney. In February 1979, he was detained at the Kiev airport, where an MVD lieutenant searched his baggage, while an MVD colonel, having demanded (Zisel's) notebook, wrote down the telephone numbers that were contained therein..... In November 1978, another search was carried out at I. Zisels' apartment, allegedly in connection with a pornography case. No pornography was found at I. Zisels' residence; among the materials seized were: literature, apparently considered to be "anti-Soviet" and "ideologically harmful" (for instance, typewritten copies of works by M. Tsvetayeva, O. Mandelshtam) information about political exiles, about prisoners of conscience, persons held special psychiatric hospitals, personal correspondence with prisoners of conscience and so forth. (an article on Ioseph Zisels was published in the newspaper "Russkaya Mysl'", 2 January 1979. I. Zisels' is also reported in the Appeal of the Ukrainian Helsinki Group, dated 7 November - 15 December 1978.)

Aleksandr Ogorodnikov was arrested in November 1978, on charges of (leading) a "parasitic life style" or "parasitism" (art. 209 Criminal Code, RSFSR), sentenced to a year's confinement in a general regime camp.

The court proceedings took place in January 1979, in the city of Kanakova, Kalinskaya Oblast. The courthouse was surrounded by police and KGB agents; Only Ogorodnikov's father, mother, and wife were allowed into the court room; the remaining places were taken up by spectators specially chosen for the occasion. Father Gleb Yakunin, who had come to witness the trial, was refused entrance. In connection with (his) long-established diagnosis of poor blood circulation (Werlhof's Disease), his attorney demanded a medical examination - to determine fitness for work - including the participation of a hematologist. The resulting medical examination -without the participation of a hematologist - established that Ogorodnikov had a limited work capability: labor that did not include lifting heavy objects.

A. Ogorodnikov is around thirty years old. He had been a student at a film institute, then a worker, a janitor, a door attendant, and then - unemployed against his will. He professed Orthodoxy, carried on religious-educational work, organized and conducted seminars among young people, during which they discussed various religious issues.

On account of his unabashed religious nature and subsequently on account of the seminars, he was subjected to persecution: expelled from the institute, fired from his position as a janitor, lost other jobs and could not secure further employment. Interrogations and searches were visited upon his acquaintances, participants in the seminar and others; for no less than two or three weeks he was followed, and frequently detained on the street, in the subway and elsewhere by KGB operatives, sometimes taken down to the police station, frequently insulted.

In line with these persecutions - his recent arrest and conviction for "paratism".

Sergei Ermolaev was arrested in Moscow on 10 January 1979, on charges of "hooliganism" (?). (He was picked up on the subway, where he was resisting some civilians trying to take him to the police station for showing them some political disloyal statements) He is currently in prison under investigation.

S. Ermolaev, 19, a metal worker, was a correspondence student at Tartu University. He had been a participant in Ogorodnikov's seminars: had been doing as best he could to render friendly assistance to the victims of government repression, the signature of Sergei Ermolaev has appeared on many of the collective human rights documents that have appeared in recent years.

For over a year, he had been subject to persecution. Thus, in February 1978, he was stopped in the Moscow Subway, taken to the police station and searched; a copy of "Herald of the Russian Christian Movement" and Solzhenytsin's book "The Calf and the Oak" were confiscated. In May 1979, during the trial of Yuri Orlov, S. Ermolaev was picked up near the courthour and sentenced - by "order" - to fifteen days arrest.

In November 1979, a "case" was initiated against Vasil Ovsienko, of the village of Lenino, Zhitomirskaya Oblast. As far as is known, they intend to charge him with "resistance to authority" (?).

Vasil Ovsienko, a former political prisoner, served four years at strict regime in the Mordovsky camps for political prisoners. After his release, in 1976, he was subjected to administrative surveillance - open police surveillance, which has continued to this day and imposes upon a number of restrictions, in particular, he has deprived of the right to move from his place of residence (the village of Lenino).

B. Ovsienko had maintained friendly contacts of the Ukrainian Helsinki Group. On 19 November when he was visited by Group member O. Meshko and an acquaintance of hers, the authorities - police and KGB officials - detained Ovsienko and his guests as they were unobtrusively making their way to a bus, and took them to the village hall and subjected them to searches and interrogation. After this, a "case" was initiated against Ovsienko.

On 1 December 1978, the Supreme Court of the Armenian SSR handed down its verdict against Robert Nazaryan, who had been arrested on 22 December 1977: 5 (five) years incarceration at a strict regime corrective labor camp and two years exile. R. Nazaryan, born in 1948, graduated from the Physics Department at Erevan University, then completed the Theological seminary and was ordained as a deacon (serving in that position for a short period of time), worked as a physicist and then as an engineer: was fired on several occasions, obviously for political reasons. He is a member of the Armenian Helsinki Group, which announced its formation in April 1977. Convicted on charges of "anti-Soviet agitation and propaganda".

On 29 January 1979, the trial of Vladimir Shelkov (age 84!) was slated to begin in the city of Tashkent. Shelkov was arrested in March of 1978.. Vladimir Shelkov belongs to the Adventist Church, and has served nearly thirty years in prison and labor camps for his faith. Over the course of several years, until his arrest in March of 1978 was the head of the officially non-existent Church of the Seventh Day Adventists in the USSR. He was forced to remain in hiding from the authorities who were hunting for him. Vladimir Shelkov attached great importance to religious/educational activity. The church that he headed, despite the unrelenting cruel persecutions, was able to publish a large amount of religious and human rights literature. Shelkov is the author of a series of books, including "The Legal Struggle with the Dictatorship of State Atheism". The trial has been postponed for one month.

[illegible] Document No. ________[1]. of 20 January 1979 "The Persecution of Individuals Trying to Create Independent Associations to Defend the Rights of Workers. Persecution of Individual Workers ", contains information about several instances of repression that have taken place in October - December 1978 - the forced incarceration of V. Novodvorskaya and Yu. Valov in a psychiatric hospital, the arrest of M. Morozov, E. Kuleshov, and M. Kukobaka.

1. incomplete in text, No. 76 (trans.)

The Group does not have by any means all the facts regarding cases of illegal repression. However, even this incomplete information attests to the continued glaring violations of human rights in the Soviet Union and about the Soviet government's established policy of ignoring the humanitarian sections of the Helsinki Accords.

30 January 1979

Members of the Moscow Helsinki Group

S. Kalistratova
M. Landa
N. Meiman
V. Nekipelova
T. Osipova
Yu. Yarem-Agaev

Persecution of the Helsinki Group

Document No. 79

With the arrest of Aleksandr Ginzburg on February 2, 1977, Soviet authorities began a new stage in their persecution of members of the Public groups to Promote Observance of the Helsinki Accords in the USSR.

Prior to this in Moscow, Kiev, Vilnius, Tbilisi and Erevan, there were searches, interrogations, surveillance and threats. Exactly two years ago the arrest of group members began:

Date	Group Member	Place
2/03/77	Aleksandr Ginzburg	Moscow
2/04/77	Oleksiy Tikhy	Ukraine
2/05/77	Mykola Rudenko	Ukraine
2/10/77	Yuri Orlov	Moscow
3/15/77	Anatoly Shcharansky	Moscow
4/07/77	Merab Kostava	Tbilisi
4/07/77	Zviad Gamsakhurdia	Tbilisi
4/13/77	Mykola Matusevich	Ukraine
6/21/77	Viktoras Petkus	Lithuania
7/05/77	Malva Landa (Internal Exile)	Moscow
7/12/77	Levko Lukyanenko	Ukraine
7/22/77	Shagen Arutyunyan	Armenia
7/22/77	Robert Nazaryan	Armenia
2/15/78	Petr Vins	Ukraine
3/20/78	Grigory Goldshtein	Tbilisi
6/01/78	Vladimir Slepak	Moscow

In addition, members of the Working Commission for the Investigation of the Use of Psychiatry for Political Purposes -- which works in close contact with the Moscow Helsinki Group -- have been arrested:

8/22/77	Feliks Serebrov	Moscow
5/14/78	Aleksandr Podrabinek	Moscow

The fate of these courageous defenders of human rights is quite well-known. All of them were convicted on political or trumped-up criminal charges and almost all are still languishing in the prisons and camps of the Gulag Archipelago.

Slepak and Podrabinek are serving out their sentences of internal exile deep in Siberia. Slepak, an engineer, is working as a stoker; Podrabinek, an orderly, has still not been given work in his field.

Malva Landa has returned from exile. Feliks Serebrov has been released after completing his sentence. They have returned to their human rights activities.

Despite these arduous conditions, the persecuted members of the Helsinki Groups have not been spiritually broken. As before, they consider themselves members of the Helsinki Groups and continue their human rights activity insofar as they can under the conditions of their imprisonment. In particular, Yuri Orlov informed the administration that he considers himself the representative of the Moscow Helsinki Group in the camps. Aleksandr Ginzburg asks tht his signature be appended to general Group documents.

The massive scale and severe repression against the members of all five Helsinki Groups reveals an unconcealed effort by the Soviet authorities to annihilate and completely repress this form of human rights activity.

But the Groups exist and continue to work.

In particular, the Moscow Group has, in the last two years, published more than 50 documents and appeals on the following topics:

a) General questions on the defense of the rights of individuals and citizens;
b) Repression and the illegal conviction of human rights activists;
c) Inhuman conditions of confinement for political prisoners;
d) Violations of the rights of religious believers;
e) Violations of the rights of national minorities;
f) Violations of the right to freely leave and return to one's country; and
g) The difficult economic and social circumstances of several categories of citizens.

The Working Commission for the Investigation of the Use of Psychiatry for Political Purposes has also continued to work actively.

Noting the tragic aspects of the mass arrests of members of the Groups to Promote Observance of the Helsinki Accords in the USSR, we call on all to whom freedom and independence of thought and speech is dear, to undertake the defense of human rights to the best of their strength and ability.

February 1, 1979

Members of the group:

Elena Bonner
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MOSCOW GROUP FOR MONITORING THE HELSINKI ACCORDS IN THE USSR

1 February 1979 Document No. 80

STATEMENT REGARDING THE EXECUTION OF STEPAN ZATIKAN AND TWO OTHER UNIDENTIFIED PERSONS

Three young persons have been executed, in accordance with the sentence rendered in an unknown place on an unknown day in circumstances shrouded by secrecy, by the justices of the Supreme Court of the USSR. In an unprecedented departure from judicial practice, the name of only one of the condemned has been released, the other two have not been identified.

All three were sentenced to death on charges of having blown up a section of the Moscow subway in 1977, as a result of which there were fatal casualties. It is inconceivable that a trial on such charges had to be conducted in such secrecy; the relatives of the accused were not even informed. The fact is that the subway explosion cause wide-spread revulsion and convincing evidence as to the culpability of the accused, if the prosecution possessed such evidence, would have furthered public condemnation of the perpetrators of this deed.

The lack of publicity and the entire air of mystery leads one to doubt the validity of the charges, the objectivity and impartiality of the court. Several persons, for instance, have stated that S. Zayikan was not even in

Moscow at the time of the explosion.

Is such a trial really a trial in the generally accepted sense of the word?

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The Persecution of Dr. Semyon Gluzman

Document No. 81

Amnesty International declared 1978 as the Year of Semyon Gluzman, who was sentenced in 1972 to seven years strict regimen camp and three years internal exile. Officially, Gluzman was sentenced for the possession and distribution of samizdat. The severity of his sentence confirms, however, that the real reason for this act of reprisal against him was the Gluzman was the first psychiatrist to expose the practice of confining dissidents to psychiatric hospitals in the USSR.

As if in response to the Amnesty International action on Gluzman's behalf, the authorities harshened his living conditions and, in May of 1978, he felt forced to declare a dry hunger strike which endangered his life. On June 15, he was placed for six months in the internal camp prison, the so-called punishment cell (PKT) -- a cold, dank cell with a diet which is even more meager than usual. After 6 months in a PKT many prisoners must be carried out since they no longer have the strength to walk.

Gluzman was released from the punishment cell on December 15th, and already on the 25th was deprived of a scheduled visit with his father and the right to receive food packages and postal parcels.

From January 8, 1979 to the end of his sentence -- that is, four months -- he was again put in the punishment cell. Gluzman's health has long been undermined by many years in camp. Another lengthy session in the punishment cell cannot help but turn Semyon Gluzman into an invalid, and could lead to his death. This summer Gluzman suffered a mild stroke.

February 1, 1979

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Moscow Group for Monitoring the Helsinki Accords in the USSR

Document No. 82 15 March 1979

Still Another Wave of Repressive Measures, Gross Violation of Freedoms and Human Rights in Ukraine, in Leningrad, in Moscow, and in Tashkent

On 6 March, the writer and founding member of the Ukrainian Helsinki Group, Oles Berdnik, was arrested. On the afternoon of the 6th, he left his home and disappeared; it was only on the 12th that his wife was finally told that he had been arrested....on the morning of the 7th, a search was conducted at O. Berdnik's apartment.

On 6 March, around 6:00 o'clock in the evening, a series of searches were initiated in Ukraine, in Leningrad, and in Moscow.

In Ukraine, the KGB made no less that searches (in connection with "case No. 2") at the apartments of the members of the Ukrainian Helsinki Group - O. Berdnik, O. Meshko (Kiev), Petr and Vasili Sichko and Vasily Striltsev (Ivano-Frankovskaya Oblast, the city of Dolina) the wife of currently imprisoned leader of the Group, M. Rudenko, Raisa Rudenko (Kiev), and also at the residences of Pavlo Stokatelnovy, Vladimir Malinkovich (Kiev), Yuri Litvin (Kievskaya Oblast, village of Barakhta) Mikhail Melnik (Kievskaya Oblast, village of Pogreby). Confiscated were: documents of the Helsinki Group, literature -artistic and philosophical, poetry, personal notes, and so forth, a Bible.

Thus, during the search at the residence of Pavlo Stokatelnovy (the husband of Nadya Svetlichnaya, former political prisoner who, upon release, was subjected to cruel persecution and emigrated to the USA in the fall of 1978) the items seized were a Bible, the Gospels, a history book, some collections of poems by the poets Vasily Stus, Irina Stasiv-Kalynets, Ivan Sokulsky (typewritten texts), a copy of the sentence given to former political prisoner Mikola Gorbal, receipts for parcel post mailings and other items.

To the question as to why they were confiscating the sentence, the answer was: "Gorbal had no right to have it in his possession" (?!). With regard to the Bible, published by the Moscow Patriarchate, they said: "It's not sold in the stores, there's no right to have it" (?!).

At the search of V. Malenkovich's (a doctor) residence, they took two Bibles - his, and that of his wife; photographs of Solzhenytsin, Mandelshtam, Aleksandr Ginsburg, a book by the Russian philosopher V. Solovev "The Spiritual Bases of Life", photocopied works by Tsvetaeva, Mandelshtam, and others.

At the residence of Yuri Litvin (former political prisoner) his poems and documents concerning the human rights movement were seized.

Mikhail Melnik (age 38, historian and poet, for the last two years he has been working as a security guard) wrote on February 16 to the editors of the newspapers "Radyanskaya Ukraina" and "Molod Ukraine" in defense of Vasily Ovsienko was had been convicted on 8 Feruary (convicted on a fabricated charge of "resisting the authorities"). M. Melnik writes: One cannot help but be concerned about the fact that every person who has served a sentence under ~~art. 62,~~ pt. 1, Criminal Code UkSSR (=art. 70 Criminal Code RSFSR), is forced, after a short time (1-3 years) either to emigrate, or to find himself once again behind bars."

M. Melnik's works on history and his documents concerning the human rights movement were confiscated.

After the search, Mikhail Melnik committed suicide (took an overdose of sleeping pills)...

Many others were called in for questioning. The questions, for the most part, related to O. Berdnik.

During R. Rudenko's interrogation, most of the emphasis was on her husband. They tried to get her -how many times it this! - to convince her husband to "repent"; "they advised her" "to refuse any help, or contact with the Moscovites"...

On 6 March, two Baptists, the Chekh brothers, were arrested in Kharkov. Their car was also impounded and searched; (the police) uncovered and confiscated 1.5 thousand copies of the uncensored periodical publication "Vestnik EKhB".

On 12 March, in connection with this "case" several searches were conducted, in particular, at the home of the Vins' (Kiev). A large amount of religious literature was confiscated.

Five searches were conducted in Leningrad and Moscow on the 6th of March - at the home of Leningrader Sergei Dedyulin, and at homes of two of his acquaintances from Moscow, and two from Leningrad. At the order of the Moscow District Attorney's office, the KGB conducted searches in connection with "case No. 46012/18-76"/. In 1976-77, searches were conducted in connection with the same case, including those done at the residence of Moscow Helsinki Group founder Yuri Orlov in January 1979, and also at the homes of the members of the editorial board of the uncensored journal "Poiski".

An exceptionally valuable, unique archive was taken from S. Dedyulin: a bibliographic dictionary on civil activists in the USSR in the years from 1950-1970; bibliographic materials on the history of party and government organs of the USSR and other socialist countries; a card file on writers, cultural figures, and scientists who had been repressed; a bibliography entitled "Soviet Press on A.I. Solzhenytsin" and other items. Also seized were unique, bibliographical rarities such as collections of poetry, literary materials, memoirs (published and non-published literature), clippings from periodical literature chosen for their subject matter or their author, notes, etc.

On 12 March, in Leningrad, a search was conducted at the residence of Lev Volokhonsky, a member of the Council of Representatives of the Free Interprofessional Association of Workers, created several months ago. SMOT documents were confiscated (concerning the persecution of the founders of SMOT, see also our Document No. 76). The search was conducted without the presence of L. Volokhonsky; at that moment he had been detained on the street and taken in for questioning.

He is being called in for the next interrogation - concerning the materials that hadbeen taken during the search.

On 6 March, the fighter for the rights of the Krim Tatars, Mustafa Dzhemilev, was sentenced in Tashkent to four years exile - "for violation of parole rules" The trial was conducted with the grossest violations of judicial standards: there was no defense attorney, none of Mustafa's relative were present, neither was the accused present in the court room.

The trial took place on the 6th of the month, although Mustafa's relatives, and through them, his defense attorney, had been told that the proceedings would begin after the 10th. From the day of his arrest, 8 February, Mustafa, protesting against this flagrant arbitrariness, has been on a hunger strike.

On 12 March, in Tashkent, trial proceedings were begun against five members of the All-Union Adventist Church of the True Remnant, including the head of the church, 84-year-old Vladimir Shelkov (see also Doc. No. 78), charged with "slander" against the Soviet system.

Noble Peace Prize winner Academic Sakharov was not permitted to enter the court room.

We consider it necessary to call the attention of the heads of the Helsinki signatory States , and world public opinion to the fact that this new wave of repressions demonstrates - again and again - the intention of the authorities in the USSR to violation the Helsinki Act that they have signed.

Members of the Moscow Helsinki Group

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The Trial of Josif Zisels

Document No. 83

On April 5, 1979, the trial of Josif Zisels concluded in Chernovets. The sentence -- three years intensified regimen camp -- was the maximum sentence provided for under Article 187-1 of the Criminal Code (CC) of the USSR (Article 190-1 CC RSFSR): the circulation of deliberate fabrications which defame the Soviet state and social system.

Zisels was arrested on December 8, 1978, and was held under investigation for four months. At the trial he announced that during the preliminary investigation approximately 30 articles of the Code of Criminal Procedure had been violated. Witnesses were not called and investigations, which he had requested, were not conducted. Zisels was charged with possession, with intent to distribute, works by Solzhenitsyn and Amalrik; letters in defense of Podrabinek, Ginzburg, Orlov, Solzhenitsyn and Petkus; bulletins of the Working Commission for the Investigtion of the Abuse of Psychiatry for Political Purposes; and cards on 77 inmates of special psychiatric hospitals.

The trial was conducted literally behind closed doors. Only Josif's wife, Irena, was permitted into the courtroom. After the hearing, she was searched and notes of the proceedings were confiscated from her. Most of Zisels' friends, who had come to the trial building, were detained by police for several hours. P.A. Podrabinek, who had come from Moscow specifically to attend the trial, was forcibly returned by airplane.

All of Zisels' requests were denied, including his objection to the composition of the court. Zisels did not admit his guilt and asserted that it had not been proven that he had distributed literature. Despite the demands of the defendant, most witnesses interrogated during the course of the preliminary investigation were not called to testify. Many points of the charges were refuted during the questioning of the witnesses. Nevertheless, this discredited information figured in the summation of Procurator Kotsyurba, who requested the maximum sentence -- three years intensified regimen camp.

Zisels' lawyer, Nemerinskaya, demanded his release.

On April 5, the Chernovets Regional Court, with Judge Ishchenko presiding, sentenced Josif Zisels to three years in an intensified regimen camp.

Even before the sentence was announced, Zisels declared, in his final statement, that he considered the trial to be deliberately prejudiced. He said that neither the preliminary investigation nor the trial had been impartially conducted and that he had not been given the opportunity to prove his innocence. In addition he said: "I am 32 years old. I have by this time chosen my path in life in opposition to lies and force. I started on this path not long ago and have managed to take only a few steps along it. But I am happy that my choice has been made and that it is this one. No matter where I am, there will always be people around me who need the word of truth."

We call attention to this common flagrant violation of human rights -- the sentencing of Zisels for his convictions and his charitable activity. We once again point to the need to rescind Article 190-1 CC RSFSR (and its corresponding articles in the Criminal Codes of other republics), which basically are used to stifle freedom of conviction and the right to collect and disseminate information.

The enforcement of this article is always linked with blatant violations of procedural norms, with KGB control of the court and the investigation, with closed trial proceedings, with the violation of the right to a good defense, etc.

Josif Zisels has been convicted unjustly and should immediately be released.

April 5, 1979

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GROUP FOR MONITORING THE HELSINKI ACCORDS IN THE USSR

14 April 1979 Document No. 84

Starting from the end of 1977, Peter Vins has been subjected to unceasing persecution by the KGB of a purely criminal nature. In December 1977, KGB agents beat Peter Vins up in a train station in Kiev, then sentenced him to jail for 15 days for "hooliganism" and kept him behind bars for a whole month.

After his release from this incarceration, Peter Vins was sentenced to camp for a year on charges of so-called parasitism. When he was in camp, he was frequently beaten.

Peter Vins had been convicted while he was in the process of applying for an exit visa to Canada. When he had finished his term in the camp, he tried to meet with a representative of the U.S. consulate in Kiev, who was supposed to give him an invitation to resettle in Canada. KGB agents set up him like bandits, as described in the affixed statement, and prevented the meeting from taking place.

We are expressing our serious concern with regard to Peter Vins' situation and call upon world opinion to come to his defense.

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Appendix

To the Heads of the Signatory
States of the Helsinki Accords

To the Minister of Justice of the
USSR Rudenko, from a member of the
Ukrainian Helsinki Group, Petr Vins

On 23 March 1979, my mother and I were walking toward the U.S. Consulate to fill out emigration forms. When we were a little more than one-hundred meters from the Consulate, on the corner of Sarkaganskaya and Gorky Streets, we were stopped by unknown persons who suggested that I come along with them. I asked them for some identification and also to explain why they were detaining me. Two men, identically dressed, twisted my arm behind my back and took me along the street. Mama started to cry out for help to the passers-by. The people who happened to be in the vicinity registered their indignation at the behavior of these young me and tried to help us. Up tp the curb rolled a "GAZ-24" car, with a license plate "21-20 KIT". A man got out and twisted my mother's arm behind her back, tearing her away from me. Simultaneously, I was thrown into the car, and one of the unknown persons held me by the throat.

They drove me into the forest, twenty-five kilometers outside of Kiev, in the direction of the Borispolsky Airport. One of the KGB agents got out of the car, a man of about fifty years, built like an athlete, and suggested that I go with him. I demanded that he show me his documents and identify himself, which he absolutely refused to do.

"Listen carefully to what I am authorized to tell you" he said, turning toward me, "You've spent a year in the camps. But this didn't help. It's time for you to become a man . We are not going to overlook the game that

On that same day, at 9:30 in the evening, someone was shooting near our house. On 25 March, a Sunday, I was heading into the woods to walk my dog. Seven persons whom I do not know followed my at a distance of fifty meters. During this short walk - eight to ten minutes - they shot into the air five times. On 26 March, our acquaintance V.D. Malinkovich heard shots shots during the day on our street and came over to find out if anything had happened to us. When he left out house, an unidentified young man took a photo of him from a distance of half a meter.

On 27 March 1979, I was returning hom at 8:20 p.m. Near a grocery store, two hundred fifty meters from my house, a young man of about thirty years ran up to me, He had an athletic build, and asked me for two kopeks. He was very excited and kept looking over his shoulder. At this time, another unknown person, the same one who had driven me outside of town on the 23rd of March, came running up to me from the side of the street, threatened me and pushed me into the dirt. From behind, someone hit me on the head with something soft, and I fell and lost consciousness. Dragging me out into the traffic lane of the street, three men started to work me over with their feet, clubs and metal objects, twice stabbing me in the leg with a knife .

Passers-by on the street ran to my aid. Grabbing my bag and my hat, the three men got into a car and drove off.

I assume, that blackmail and violence on the part of the KGB constitute an attempt to force me, a member of the Ukrainian Helsinki Group, to drop my human rights activity, to drop the activity directed at monitoring compliance with the Helsinki Accords in the Soviet Union.

But none of the KGB's violent methods can break the human rights activists in our country. I will continue to carry out my obligations as a member of the Ukrainian Group for Monitoring the Helsinki Accords in the USSR.

29 March 1979 Petr Vins

Violations of Social and Economic Rights in the USSR: The Right to Work

Document No. 85

Soviet propaganda has persistently maintained that so-called social and economic rights take precedence over civil and political rights. It has also maintained that in the USSR, in contrast to the countries of the "Free World," social and economic rights are fully secured. This flurry of propaganda, which has reached the West, creates the impression that the Soviet Union is a society where everyone is well-off; one in which "developed socialism" has been achieved and the principle of highest social justice, "From each according to his abilities, to each according to his work," has been put into practice.

The absence of unemployment in the USSR is cited as the main indicator of universal prosperity. But this and other such claims are merely propagandistic camouflage. Actually, the right to work, the right to favorable conditions of work, and the right to just remuneration for work, are by no means universally secured in the USSR. None of the four paragraphs of Article 23 of the Universal Declaration of Human Rights is, in fact, implemented:

1. Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

The wages of both blue- and white-collar workers are extremely low. The official average wage in the USSR, 161 rubles per month, is a statistical exageration. But given the present rate of inflation and the increase in prices, even that figure scarcely ensures "an existence worthy of human dignity." And what can we say of the minimum wage which is 70 rubles per month and, in some areas, 60 rubles? The low wage-level is further confirmed by the fact that, as a rule, all members of a Soviet family must work, including persons eligible for old-age pensions. And also by the widespread "rip-offs" and thefts from places of employment. One worker will take home milk and cream from a dairy; another will take home a bottle of vodka from a distillery; and still another boards from a lumber mill. A situation in which workers are compelled to "scrounge" what the State does not provide them with, undermines ethical standards, causes a serious morale problem and encourages the spread of lies and hypocrisy throughout society.

The seemingly adequate income enjoyed by a certain percentage of workers' families is often derived from sources other than wages. For the great majority of blue- and white-collar workers, the level of "take-home" pay is so low that they can barely make ends meet. This may well be the chief cause of the drop in birth rate.

Income distribution in the USSR is very arbitrary. There is an immense gap between the minimal wages paid to a considerable part of the population and the high salaries paid to certain people: higher Party and government officials, generals, academicians, etc. Their salaries can reach or even exceed twenty times the minimum wage. There exists an inequitable difference between the wages of workers in various branches of industry. And the wages paid in urban centers differ from the wages paid for similar work in other regions. Thus the pay at textile factories in Moscow oblast is considerably higher than in the adjacent Vladimir and Ivanovsk oblasts, although the output norm is lower in the Moscow oblast. Some categories of workers in Moscow enjoy special privleges and are paid higher salaries than those accorded workers in the provinces.

The inequality in wages is aggravated by the inadequate food supply in outlying regions. Whereas the Muscovite buys most of his foodstuffs from State trade outlets, people living in the provinces must buy them at the local market which offers limited selections at exorbitant prices. As a result, feelings of envy and hostility toward the residents of the "Communist city" of Moscow have become widespread.

Lowest on the pay scale are persons employed in the nonindustrial sector: government office workers, employees of utilities, salesclerks, medical personnel, teachers, writers, artists and so forth. And the pensions paid for old age, disability, or loss of a breadwinner are not sufficient for "an existence worthy of human dignity."

Although the word is never spoken aloud, genuine poverty persists among a considerable part of the population. One cannot arrive at an accurate figure for the number of families that should be classified as poor, since the poverty line in the USSR has never been specified officially. Quasi-officially, the minimum subsistence level has been set at 50 rubles per capita per month (if one assumes that a supplementary allowance of 12 rubles for each child below the age of eight is given only to those families in which the per capita income is less than 50 rubles per month), although in fact that figure represents the threshold not of poverty but of destitution. Many pensioners, single mothers, and large families live on far less than that 50 rubles per capita.

The piece-rate system, long discredited in the developed countries as "antediluvian" and vigorously opposed by trade unions in the West, is common in the USSR. Not only that, but is is popular among workers, since they think that they can earn more than with an hourly wage.

At Soviet plants and factories -- with a few possible exceptions involving defense plants, "model factories" and some other key enterprises -- the work is poorly organized, health and safety measures are inadequate, and on-the-job accidents are frequent. Also, accidents are concealed by management, and accident reports are filed only with reluctance. Management even goes so far as to credit the victim with imaginary "working hours," in order to avoid listing him as injured on the job.

Many jobs tht involve heavy physical labor (construction, road-building, etc.) are performed mostly by women -- because of the low pay and the "lack of prestige." Women pushing wheelbarrows full of cement on construction scaffolds, and women in orange uniforms with shovels and crowbars in their hands working on railroad gradings, are among the most ugly sights in the Soviet world.

Labor laws are grossly violated at Soviet plants and factories. It is a common practice, especially on the days when the pressure is on to meet the monthly production plan, to make employees work overtime that is not recorded -- a violation of the law limiting the length of the work week. Workers are often not paid for this overtime, since they supposedly have an alternate material incentive: "If we fulfill the plan, we'll get bonuses."

Common forms of unpaid labor are the nationwide and local "Subbotniks" (unpaid work on usual days off) and sending people (including schoolchildren and pensioners) to temporary work on collective and state farms, at vegetable storehouses, etc.

The working day for collective farm workers is not regulated at all. And such workers have no paid vacations. Since it is extremely difficult for members to leave a collective farm and settle elsewhere, they have in fact become State serfs.

Any conflict between a worker and management -- any criticism or attempt to defend one's rights -- is fraught with serious consequences. Management can exert pressure on a worker in many ways: withholding production bonuses, withholding the traditional year-end bonus, taking him off the list of those in line for an apartment, withholding his pass to a health resort, and finally, dismissal. (Management has wide latitude in firing workers since permissible reasons for dismissal are not spelled out in the labor law).

In the USSR, one's choice of employment is severely limited. One means of discriminating against workers and turning them into virtual serfs is the compulsory work-book system (one unknown in the West), which is basically an extension of the internal passport system. Since the entries in the work-book include the reasons for dismissal which may be prejudicial to the worker (e.g. dismissal by reason of conviction for a crime), the work-book constitutes a kind of blacklist. And yet one cannot get a job without a work-book.

One's choice of employment is also limited by the shameful system of residence permits, which makes it impossible for a Soviet citizen to choose his place of residence freely.

Despite such formal indicators of full employment as the apparent shortage of manpower and the "Help Wanted" ads, functional unemployment does exist in the Soviet Union; i.e. cases where owing to the acute housing shortage, restrictions on place of residence, or the lack of savings, a person is compelled to take work that suits neither his preferences, his education nor his skills. This compulsion is aggravated by the immoral article on "parasitism" in the Criminal Code: the obligation, under threat of imprisonment, to seek and accept any kind of work.

Moreover, along with functional unemployment, actual unemployment also exists in the USSR. In Western countries a person who has not worked for two weeks is considered to be unemployed; in the USSR there is always a huge if uncounted number of people who have not worked for many months (if only for those four months "permitted" by the law on parasitism). At the same time, there is no unemployment compensation in the USSR. Thus a person dismissed from a plant or factory because of a reduction in force or similar reason, receives severance pay equivalent to two weeks' wages, and nothing more.

If one were to apply to the USSR those concepts of unemployment elaborated during the long history of the labor movement and used in the West, the myth that the Soviet Union is a country with no unemployment would be dissipated.

The most serious violation of the rights of workers is their lack of any effective means of defending their interests. The right to strike is not recognized in Soviet legislation, and any attempt at collective bargaining is harshly put down. The trade unions in the USSR are essentially Party-State agencies rather than workers' organizations to secure a better living standard and improved working conditions.

The notion of trade unions as "transmission belts" from the Party to the masses dates from Lenin's time. Today trade unions have been turned into a means for the direct subordination of the working population. In the USSR, trade unions deal tion of the working population. In the USSR, trade unions ~~deal~~ with problems of production, plan fulfillment, labor discipline, and indoctrination (there is good reason for their being called "schools of Communism"). Their defense of workers' interests is marginal at best.

All this was illustrated recently (1977-78) when attempts by groups of workers to form several independent associations to defend their rights, were promptly put down. The organizers of the first such association (November of 1977) the so-called Free Trade Union -- Vladimir Klebanev, Valentin Poplavsky, and others -- were repressed and many of them confined in psychiatric hospitals. Repressions were also used against SMOT (The Free International Association of Workers), organized in November of 1978. One of its founders, L. Volokhonsky, was recently arrested. Yet the right to organize independent associations of workers in order to defend their interests is unambiguously guaranteed by both Soviet and international law and attempts to found such associations will no doubt continue.

With respect to violations of social and economic rights in the USSR, we emphasize that those rights cannot be secured without having previously secured political and civil rights -- above all, freedom of speech, of the press, of association, and the right to form trade unions.

We welcome the International Labor Organization's recent official inquiry addressed to the Soviet Government concerning repressions against members of independent trade unions, and its determination to secure a substantive response. The statement made by the Soviet delegate to the recent ILO meeting in Paris to the effect that Vladimir Klebanov and other founders of independent trade unions are "irresponsible and mentally-unbalanced people," was not only a deliberate defamation but an attempt to cover up serious violations of social and economic rights in the USSR.

April 21, 1979

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GROUP FOR MONITORING THE HELSINKI ACCORDS IN THE USS

25 April 1979 Document No. 86

THE THREAT OF NEW REPRESSIONS FOR FREEDOM OF SPEECH

Editorial board member of the free journal of opinion "Poiski" (see our Document No. 74) Valery Abramkin was interrogated three times in the course of February-April 1979, by Moscow District Attorney's Office investigator Burtsev, regarding searches that had been conducted earlier among members of the editorial board and future activities of the editorial board.

Valery Abramkin, who was being interrogated - in the words of the investigator - as a witness "for the time being", refused to give any information, explaining his refusal on the grounds, in the first place, that he was not familiar with the case about which he was being asked to testify, and secondly, that during the searches and confiscation of property belonging to members of the editorial board, a great number of procedure errors had been committed.

During the course of the last interrogation, the investigator presented Abramkin with an order to "initiate a criminal case under art. 190-1 Criminal Code RSFSR in connection with the preparation and dissemination of the journal "Poiski", allegedly containing deliberately false statements, slandering the Soviet political and social system. Its obvious from the order that case No. 50611/14-79 regarding the journal "Poiski" has been taken from case No. 46012/18-76, which had been initiated back in 1976 in connection with the preparation and dissemination of the "Chronicle of

Current Events". In neither the first case, nor the more recent, are the accused persons identified.

The existence of such an order attests to the fact that new judicial crackdowns are being prepared against persons who are "guilty" only of collecting and disseminating information, "guilty" of openly stating their opinions of socio-economic and political issues. This is a crackdown on freedom of speech.

During the interrogation of Abramkin, investigator Burtsev openly threatened him and the members of the his family. These threats were interspersed with promises of all sorts of good things if (he) recanted. In particular, the investigator promised that Abramkin would be reinstated in scientific work at the research institute from which he was fired in 1976, and from which time has been working as a stoker or security guard.

The interrogation wound up with a direct and concrete threat: if the sixth issue of "Poiski" should come out, then he, Abramkin, would be charged with preparing and disseminating the journal "Poiski", and all the remaining members of the editorial board would be banished from Moscow through administrative proceedings.

Thus, Abramkin has been declared a kind of hostage. The threat of administrative banishment, not prescribed in published law is genuine. We are aware of the fact that there exists a secret disposition No. 700 of the Council of Ministers of the USSR on 8/15/1978, according to which massive administrative expulsion is being carried out against the Krim Tatars. What then would prevent the authorities from applying this secret, anti-Constitutional "law" against undesirable Moscovites?

The groundwork for extrajudicial persecution against members of the editorial board of the journal "Poiski" has already been laid. On 4/3/1979 a meeting of the professorial-teaching staff of the Institute of Management Personnel Professional Improvement (under the Ministry of Consumer Services of the USSR), where editorial board members Petr Egides teaches technical esthetics. At this meeting, it was decided to fire Egides on account of his involvement in the work of the journal, and also to forward a petition to VAK requesting that Egides be stripped of his Candidate's Degree in Philosophical Sciences and his title of docent. On 4/6/79 the local commitee of the Institute approved the dismissal of Egides under pt. 3, art. 254, KZoT, i.e. for immoral acts incompatable with the calling of a teacher. Thus, it is officially admitted, that involvement in the work of a free journal of opinion deprives an individual of the right to teach and carry on scientific work.

The Moscow Group for Monitoring the Helsinki Accords in the USSR, having informed the signatory governments of the Helsinki Accords and world opinion of the gross violations of this Act, call upon all those who cherish the freedom of speech and thought, to come to the defense of the members of the editorial board of the journal "Poiski".

Elena Bonner
Sofya Kalistratova
Malva Landa
Naum Meiman
Viktor Nekipelov
Tatyana Osipova
Yuri Yarym-Agaev

On Prisoners in Soviet Camps**

Document No. 87

Yurii Orlov *et al.**

Introductory Note by the Moscow Group to Promote the Implementation of the Helsinki Agreement in the USSR

"The following Moscow Helsinki Group Document is a report compiled by political prisoners in camps in the Urals, by Yurii Orlov, the founder of the Moscow Helsinki Group, Mikola Matusevich, a member of the Ukrainian Helsinki Group, Zinovii Antonyuk and Valerii Marchenko."

Yurii Orlov was arrested in February 1977 and sentenced in July 1978 to seven years deprivation of freedom in a strict regime camp and five years exile. He has been in camp since August 1978; in August and September he was in Camp 35, and then in Camp 37. Orlov declared himself from the outset to be the camp representative of the Helsinki Group.

Mikola Matusevich, who was arrested in April 1977 and sentenced in April 1978 to seven years deprivation of freedom in a strict regime camp and five years exile, is serving his sentence in Camp 35.

Zinovii Antonyuk served seven years deprivation of freedom in strict regime camps in Mordovia and the Urals, and also three years in Vladimir prison; in January 1979, after completing his term of imprisonment, he was sent into exile, where, according to his sentence, he has to spend three years.

Valerii Marchenko was arrested in the summer of 1973 and sentenced, like the other authors of this report, on a charge of "anti-Soviet agitation and propaganda," to six years deprivation of freedom and three years exile. He spent most of the time in camps in the Urals. In 1977–78 he spent about six months receiving "treatment" in the Kiev KGB prison, where they tried to get him to renounce his views and make a statement of "repentance." Marchenko is seriously ill and the forthcoming period in exile is a threat to his life.

It is an extraordinarily difficult task to compile a report like this in camp conditions. If those involved are caught, not only does it mean that the work is lost, but also that further repressions will follow. Section V of the present report was lost because of these very difficulties.

This document is based on the first-hand observations of its authors, who have all experienced Soviet "justice" and the Soviet "corrective-labour" system. It contains not just a factual account but also an analysis of several aspects of the Soviet penal system. The Moscow

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* Section VII of this report, which apparently reached Moscow later, was written by Pyatras Pluiras-Plumpa. He was sentenced in December 1974 to eight years strict regime and is now in a camp in the Urals. He has already served a previous sentence of seven years (1958–65) on the same charge of anti-Soviet agitation.

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Helsinki Group considers it very important and significant, and shares full responsibility for its contents with the authors.

We appeal to the heads of governments of the countries which signed the Helsinki Agreement and also to the public in those countries to distribute the report widely.

Document No. 87 **25 April 1979**

Yelena Bonner
Sofia Kalistratova
Malva Landa
Naum Meyman
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Section I

Introduction

The most important aspect of the problem of prisoners in the USSR is the sheer number of citizens completely or partially deprived of their freedom on a court decision or by administrative means. All of these people are in one form or another enlisted for forced labour. Although the total number is kept secret, it is possible to make an estimate. Prisoners from corrective labour colonies (special regime, strict regime and intensified regime), from deportation colonies, from educational-labour colonies for minors, the so-called "chemists" (prisoners conditionally freed ahead of time and enlisted for work), exiles and deportees—all meet in the transit camps and investigatory "isolation" prisons and compare notes on the numbers of people being subjected to repression. Most agree that the total number of *zeks* (prisoners)—including those in investigatory prisons and in the labour treatment centres (LTPs—*lechebno-trudovoi profilaktorii*) for recognized alcoholics—is no less than 3,000,000, but that the total number of those engaged in forced labour is no less than 5,000,000, in other words, about 2 per cent of the population.

It must be said that if the regular army of the unemployed is the characteristic evil of the capitalist system, then by the same token, the regular, and similarly large, army of those engaged in forced labour is the characteristic evil of "applied socialism" (*realnyi sotsializm*) in the totalitarian sense of the phrase. Soviet propaganda rightly points out that civil rights and liberties are understood in essentially different ways in the Soviet Union and in the West. But it crudely deceives the world community when it asserts that the Soviet concept of civil rights and liberties corresponds automatically to the interests of the majority of the working population. The millions of prisoners and semi-prisoners engaged in forced labour, the millions who have gone through it in the past, and the millions of members of their families represent just as sizeable a proportion of the working population as the unemployed and their families in the West.

When millions of people are summarily forced to abandon their normal livelihoods this must in some way be connected with the economic, social and political features of the social system. Of course there are people in all societies who have innate tendencies that exceed established limits. However, it is improbable that there are ten times as many such people in Soviet society as there are in the West, although there is a correlation of that order between the number of *zeks* in the USSR and in the United States—250,000, according to Soviet figures. Moreover, born criminals probably do not account for a significant proportion of western *zeks*. Bearing this in mind, one can say that an overwhelming number of Soviet *zeks* are behind barbed wire as a result of crimes indirectly provoked by the general conditions of existence. Of course, this does not mean that we wish to justify violence or theft. We are merely pointing to the existence of a collective partner-in-crime, the socio-economic and political system. Whether they are of worker or peasant origin, in the camps the majority of *zeks* are *workers*. The majority of criminal offences are hooliganism, theft, armed robbery, robbery with violence, and various degrees of social theft. Many offences are connected with drunkenness; the percentage of drunkards is high, and the LTPs account for an appreciable proportion of the total number of colonies.

These vices are characteristic of any modern industrial society. What is unusual here is not their occurrence but their extraordinarily high incidence. The origins of this phenomenon may be identified as follows:

1. The absence of activities which could divert people, especially the young, from drunkenness and crime: I have in mind participation in the general struggle for a higher standard of living or for one's own rights (through meetings and demonstrations not planned by the government, strikes, etc.).

2. Further, the lack of any opportunity to take personal business initiatives (without exploiting anyone's labour). There are certain areas in the provision of services—supplying the population with various kinds of products, etc.—where private initiative would raise the general standard of living.

3. The unwillingness of some citizens to accept the chronic (illegible word) compared with what they know to be western standards, and with the comfort and security enjoyed by the leadership. We reaffirm that we have no intention of justifying the crimes committed on these grounds; we merely point to the conditions that provoke them. The state declares that its aim is a high standard of living for its people, but in many areas it is in no position actually to secure this.

4. The loss of faith in moral principles among a section of young people, a result both of religious and ethical persecutions and disillusionment with official ideology.

5. The ban on providing information on such matters as the increase in crime figures, the number of *zeks* and the regime in which they are held, the inhumanity of camp conditions, etc.

6. The state's undeniable vested interest in the use of forced labour. The inadequate pay and poor working conditions in some industrial areas lead to a shortage of manpower, and here *zeks* and "chemists" are used as compulsory "strike-breakers" to replace workers.

7. The inhumane concept of "re-education" according to which long periods of imprisonment, harsh conditions of confinement, the widespread

use of intimidation and the inevitability of punishment are considered the best ways of saving society from criminality. In fact, as officials sometimes admit in conversation, the "corrective" criminal colonies constitute a real school for criminals. This is where immorality, and man's inhumanity to man flourish, where, because of legalized shortages of food and clothing, speculation is rife, and relationships are based on primitive bestiality and exploitation. These realities of life are more effective than beautiful slogans.

We draw the attention of the trade unions and other workers' organizations to the fact that although the USSR presents itself as an industrially developed country in fact it is a country where the proletariat in the most primitive sense of the word is preserved. The situation of the millions of citizens engaged in forced labour can be compared with that of the Ural serfs of bygone ages.

It is vital to bear in mind that not only the political prisoners but also quite a few of the criminals have been unjustly, or at any rate harshly convicted, even from a formal point of view. This is a result of judicial and in particular investigative arbitrariness.

The regime in which prisoners of all categories are held contains many outright violations of the Soviet Union's international obligations on human rights. Unfortunately, receiving reliable information on violations of human rights in criminal colonies, prisons and "chemists'" places of work (illegible word). Those convicted under Article 190, religious believers and others whose reports one could trust, could provide such information. On the basis of complaints from the many *zeks* whom political prisoners have met, one can speak with confidence of the meagre food rations in prisons and most colonies, of the low wages in many "chemists'" places of work, of the assault and battery that occurs in certain prisons (the Balashovskaya, for example), the difficult conditions of transit, the poor medical care in some colonies (in the Mordovian corrective labour colony 5, for example, prisoners are given time off work only when the temperature reaches 38 degrees C.), the oppressive effect of local camps in which barbed wire surrounds each hut only a few metres from its walls, and so on. Information about the situation of political prisoners is essentially more detailed and, despite the repression, has been coming through from the camps and prisons systematically over many years.

The nationality policy being conducted within the country is reflected in the national composition of the political camps. Of the prisoners in the Mordovian and Ural camps, 30 to 40 per cent, and in some cases a higher percentage, are Ukrainian, about 30 per cent are from the Baltic area and fewer than 30 per cent are Russians and representatives of the other peoples of the USSR. It was the Ukrainians who suffered most from the arbitrariness of the camps in Stalin's time, and they are still suffering most today.

The authors of the United States Congress Committee report on the eve of the Belgrade conference were puzzled by the large number of punishments meted out to *zeks* in the USSR, but it must be remembered that the Soviet prison system is directed at the destruction of the personality, and the only way to preserve one's personality is in opposition—in opposition despite the punishments.

We convicted members of the Moscow Group now have the opportunity to observe the situation at first hand, and we are able to confirm that all previous information is correct. Furthermore, the life of political prisoners has proved in many of its detailed aspects to be even more dramatic than the necessarily brief reports from places of detention would suggest: the sick are sicker, the accusations and punishments more senseless and arbitrary.

The report which we are presenting summarizes the general situation in Camp 35, where we have been for close on two years. Its various sections have been written by different political prisoners who, with the exception of Orlov and Matusevich, are not members of the Group but have long been familiar with the problems. They point to an improvement in the situation in the past few weeks and months, but do not indicate whether these changes are permanent or merely a temporary tactic.

Space restrictions and other difficulties have meant that many facts could not be included in the present report.

Yurii Orlov

Section II

The Work Prisoners Do

In the Soviet prison system "socially useful work" is hailed as the cornerstone of re-education. But as the prison system itself is very much a copy of society its vices are characteristic of society as a whole, though in a more vivid form. The idea of education through work, if taken in an intelligent way, contains a positive seed. But as the Soviet way of doing things is so bureaucratic and aggressive, the most intelligent idea can easily be turned on its head.

In the Soviet corrective labour establishments (*ispravitelno-trudovoe uchrezhdenie*: ITU) forced labour is an essential part of punishment; in fact, it is its main feature. Further, in the ITUs, authority for the prisoners is an unscrupulous exploiter seeking to grab more and more and give less and less, using not only force but also deception. Finally, work in the political ITUs is one of the levers used by the KGB and the administration in trying to break a man's independent moral and political will. This applies not just in prison but also after the sentence is completed, for the KGB interprets complete re-education in only one way—as collaboration with the authorities. In these circumstances it would be absurd to speak of work as education.

The social usefulness of prisoners' work also holds little conviction. On the socio-psychological level, society is becoming accustomed to the existence of millions of modern serf workers, as though this were perfectly natural. On the economic level, it is significant that prisoners work on the most obsolete equipment—in many cases long since written off—and with obsolete technology. Consequently, millions of people in camp are trained in technological backwardness, and the engineers and technicians in charge get used to obsolete methods. Thus the low prices for the products of forced labour barely cover the losses incurred by retaining archaic technological methods.

Work as punishment causes obvious physical and moral damage; it degrades human dignity, and educates slaves, not citizens. In some cases, prisoners' work is so exhausting that it could be described as torture. For example, work in a PKT (*pomeshchenie kamernovo tipa*: a block of punishment cells) is done on reduced rations which if production targets are not met can be reduced still further. And in a section of Vladimir prison, work is organized according to a system which the *zeks* call "SSSR" (the Russian initial form of "USSR")—*spalnya* (bedroom), *stolovaya* (dining room), *sortir* (lavatory), *rabota* (work)—because all these activities are carried on in the ten-square-metre cell in which two or three prisoners are forced to live and work. The cells are fitted with lamps which are switched on at 5 o'clock in the morning and stay on until 10 o'clock in the evening; in other words, the lights are on for 16 consecutive hours. Exhausted on their meagre rations, the prisoners are compelled to consent to this "service" provided by their employers: they have to earn their prison "geld"—three rubles a month—for, as is well known, they are allowed to buy food products and other basic necessities only with money earned in the ITU. According to prisoners who work in the SSSR system, a man's health rarely holds out for more than six months to the work and constant noise for 16 hours a day; usually it breaks down after three months. They leave these cells only by refusing to work, which means solitary confinement or strict regime. But refusal to work gives the administration formal grounds for taking the cost of his food, clothing and shoes out of whatever money is in the unemployed *zek's* personal account. So, after a year, when they are coming to the end of their earnings, many of the non-political prisoners are once again compelled—unless the administration makes an offer "for a consideration" of work in a prison factory—to go back to the SSSR system, and thus their health is rapidly undermined. In spite of such harsh working conditions, the prison administration always has a "free market in the labour force," since the prisoners (the non-political ones), constantly hungry, are prepared to work under any conditions. The political prisoners endure hunger and punishments with greater determination and refuse to work for reasons of principle, for example when a new movement for the status of political prisoners was launched in 1975.

Of course not all work is so demanding and dangerous, but such work does exist in many criminal and political camps. In a large number of forest camps tree-felling is very onerous, especially the so-called *birzha* (exchange) where very thick logs often have to be dragged by hand under the saw. In the political Camp 36 very dangerous work is done packing TENs (component for electric irons) for which respirators or gauze face masks have to be worn; in order to earn a small amount of money to send to his family, prisoner Zagurskii continually worked overtime at this and in a short time his health was ruined; in September 1978 his condition was declared critical. The main reason for prisoners putting in overtime is their need to help their families. The rates of pay, however, are so low that even by working 12 hours a day prisoners can only manage to send their families 50 or 60 rubles a month. According to the corrective labour legislation of the RSFSR and other republics, prisoners' work is paid according to the norms and wage rates operating in the national economy. According to an MVD (Ministry of Internal Affairs) order, prisoners' wage rates should be about 5 per cent lower than those of free workers. The actual position with regard to wage rates is even worse, since prisoners work with more obsolete equipment and the rates can be set quite arbitrarily within the ITU. Sometimes the norms and wage rates are clearly fixed on an individual basis, according to a political prisoner's behaviour. For example, Simchich only had to take part in defending Marchenko against arbitrariness (in the autumn of 1976 the administration imposed a series of punishments on the ailing Marchenko, forcing him, a sick man, to fulfil his work norms) for the norm in the milling shop where he worked to become simply unfulfillable even with overtime. When a more loyal worker, A. Khokhlov, was brought in to replace Simchich, the previous norms and rates were restored.

Generally speaking, production norms are very high and not easy to fulfil. The norm is often raised arbitrarily, without any technical or organizational innovations, and sometimes the prisoners are merely expected to do more overtime. It should be borne in mind that 50 per cent of a prisoner's real earnings is deducted for the benefit of the MVD, which itself, however, spares no expense on its continually growing staff. For every 1 per cent above 100 per cent of the production norm, however, only 25 per cent is deducted. So, as far as the MVD is concerned, there is no advantage in a prisoner (perhaps by working overtime) producing more than 200 per cent or even 100 per cent of the norm. Hence the constant raising of the norms. Thus, the administration, by manipulating the production norms, perpetrates upon the prisoners frauds similar to those committed by the capitalists of days long ago.

From the money left after the MVD deductions and fines, the cost of food, clothing and shoes is subtracted. Moreover, although the cost of food is set at 12 rubles a month, about twice as much again is taken from the *zek's* account under the guise of overheads.

Prisoners are made to work considerably longer hours than free workers: not a 41-hour week, but a 48-hour week (six eight-hour days) and the two extra hours' community work and the days worked to compensate for time spent on visits with relatives, must also be taken into account. Prisoners do not have any leave, they do not get any bonus for overtime and they can be made to work on public holidays. Thus, on 7–8 November 1977 and 1 January 1978 political prisoner Plumpa was made to work in the boilerhouse without time off in lieu and without the double pay laid down by law. When Plumpa, on another occasion, did not go to work on a Sunday he was deprived of his so-called production bonus (the right to spend two or four rubles more than the monthly five rubles at the camp shop). The production bonus is given for overfulfilment of norms, but in Camp 35, as in other political prisons, it is quickly taken away for non-attendance at political study periods or as the result of a supervisor's report of a violation of discipline, wherever this may have taken place (for example, Lisovoi left the canteen " out of line "). As a rule, reports such as these are produced as a result of shameless accusations made against prisoners who have shown an unwillingness to be "re-educated," which means to collaborate, to some degree or other, with the authorities. These reports, these accusations, often rain down on the heads of prisoners who have done nothing more than complain or make statements about violations of legality in the camp to various Soviet organs; this is regarded as disloyalty to the Soviet authorities. Here one can quote an endless list of examples.

The law provides for professional and technical training in the ITU, but not infrequently the authorities try to avoid paying out the money allotted for this, forcing the trainees to fulfil their production norms from the outset and appropriating the extra pay available for training. Marchenko, for example, insisted on his rights as a trainee in all instances. The apprenticeship period, laid down for each colony by order, is withdrawn for no defensible reason, together with the extra payment. This is what happened to Antonyuk, whose apprenticeship as a milling machine operator was cancelled after one week's training at his new place of work. Then the reason for this violation of the order relating to apprenticeship became clear: the KGB had decided to put him through the whole system of punishment from solitary confinement to the PKT (illegible passage) and that was why he was transferred from the production area and made to do maintenance work with Pronyuk in the restricted area. As work is a kind of lever which helps to bring the whole system of punishments into operation, beginning with deprivation of the right to buy goods at the camp shop or deprivation of the right to have visits from relatives, and culminating in solitary confinement, the PKT and imprisonment for up to three years, so the punishments rained down.

It would seem that there is one thing which cannot be taken away from the recalcitrant prisoner, and that is the extra rations for dangerous working conditions (for example, metalworkers in Camp 35 receive a glass of milk a day for this factor). But even here there are cases of "forgetfulness" in not entering special milk on the list, on the pretence of revising the list of jobs according to health risk. For example, in Vladimir prison in 1978 the number of prisoners receiving milk because of health risks was more than halved, despite the fact that there had been no technological or organizational changes in production.

The law says that prisoners' work is to be organized according to the rules governing the protection of labour and safety laid down by labour legislation. In practice, this is completely ignored. Few have escaped being required to work at a lathe before passing examinations, indeed without the minimum of instruction, from Antonyuk in December 1972 to Plumpa in March–April 1978. And any insubordination is punished. In fact, prisoners are being punished for refusing to violate legislation. An impressive example of how the authorities completely ignore not only all the laws and rules on safety but also elementary humanity, is the saga of Svetlichnyi, who, having lost eight fingers, was made to work on a compressor machine. In recent years a ramified network for the legal inspection of work has been established as a result of a resolution of the All-Union Central Council of Trade Unions (VTsSPS). And there is also the decree of the Presidium of the Supreme Soviet of the USSR, dated 13 October 1976 "On administrative responsibility for the violation of work legislation and the rules on the protection of labour." Without going into an analysis of the effectiveness of these pieces of legislation on non-penal enterprises, let us simply note that the MVD enterprises, in which millions of present-day proletarians are working, have on the whole remained totally unaffected by them.

Generally speaking, the ITU system (through which a very sizeable section of the state's population passes) by maintaining an atmosphere of lawlessness and by making ordinary members of society feel defenceless before the arbitrariness of the authorities is a very important link in the functioning of "applied socialism."

Yurii Orlov, Zinovii Antonyuk

Section III

The Administration and Political Prisoners

The relationship between the administration and the prisoners is based on a single goal—"the re-education and correction of the convicts." This means getting them to renounce their beliefs, by making use, first and foremost, of the corrective labour legislation of the RSFSR and the MVD secret instructions, which can apparently be numbered among the harshest in the world. This aim is served by exhausting work, an inadequate low-calorie diet, a string of punishments doled out for the slightest offence and the strictest isolation from the outside world.

Reveille in Camp 35 is at six o'clock. And if the *zeks* stay in bed only a minute or two longer, the duty officer, who is usually lurking at the door, hurries in to the section and solemnly enters the names of the *shtrafniki* (the penalty boys) on a list. Punishment for not getting up at reveille was particularly common in 1973–74; at that time almost everyone who had not "embarked on a path of correction" would be included. It was easy to see that these punishments were selective, for Captain Polyakov or Lieutenant Chaika would turn a blind eye to *zeks* who were collaborating with the administration but who were still lounging on their beds, but would "book" Prishlyak, Khnokh and Davidenko. The old lags on 25-year sentences say that in the 1950s, prisoners who overslept would get an "alarm call"—men would come round with wooden sticks and beat them over the head; in the 1970s the punishment is to be deprived of the right to get food from the camp shop for a month, which, in retrospect, could be seen as humane

Roll call is at 6.35. Latecomers, if they belong to the same category of the "incorrigible," are punished.

In Mordovia, the camp administration, obsessed with the need to care for the health of its convicts, compelled everyone to do morning exercises: a depressing sight, with a less than cheerful group of invalids, performing a set of exercises to the tune of "The Slav Girl's Farewell." Failure to take part in this measure was punished.

A line is formed, after roll call, to go to breakfast, and prisoners also have to leave the canteen in line. The guards, however, make most of them wait in the yard, while the invalids on dietary rations eat; it is easier for the guards this way and it also amuses them. At 7.35, in preparation for the beginning of the working day at 8 a.m., the *zeks* form up in front of the production area, and after another roll call, they leave for the factory. This is how each day of the 48-hour working week begins here (as yet, the new Constitution has not had any effect on the corrective labour legislation which regulates the work of millions of Soviet *zeks*).

Three times a week after the evening roll call at 18.30 there is a political hour. In the Mordovian camps, the punishment for failure to turn up is quite specifically called "failure to take part in political-educational work." In Camp 35, this specific punishment was finally abolished in 1974 after numerous protests to the Public Prosecutor. The administration then resorted to another method of exerting pressure: not handing out the two to four rubles for overfulfilled norms to be spent at the camp shop. For several years, they have failed to prove that "production" money has nothing to do with attendance at lectures. People holding different, non-Marxist beliefs, naturally boycott political-educational work, which is directed at fostering a communist outlook in the *zeks*. MVD employees, however, cannot allow any freethinking, and even a representative of the humane and neutral profession of medicine, Doctor Solomina, yelled angrily at I. Svetlichnyi, who was suffering from pneumonia: "We're treating you, and you dare to talk like that!" He had been talking about pluralism in the USSR.

The last post at 22.00 hours local time means "quiet time" in the full sense of the word. I. Zalmanson was repeatedly punished for walking about after the last post. D. Verkholyak only just managed to prove, by quoting a diagnosis from his medical card, that his reasons for remaining a long time in the toilet were purely physiological and not anti-Soviet.

To give an appearance of objectivity, people hired to work in the camp on a contract basis are also involved in the re-education of *zeks* who show an unwillingness to renounce their beliefs. As dumb "nodders" on the education committee, they will sign anything. Thus in 1975 a petition came before the administration of Camp 35 for Pronyuk to be put in the PKT. One of the reasons given was that he had reportedly failed to fulfil his production norms. Pronyuk, who has had one lung removed and suffers from tuberculosis, was confined to cells for five months Thus did the KGB and MVD finally repay the man who had been the initiator of the massive month-long hunger strike and sit-down strike in the summer of 1974.

The administration frequently exploits for its own purposes those amoral people who have already been crushed by the repressive, punitive system. Thus, in 1974, Ostrovskii and Efimov, two *zeks* who were members of the colony's council, went "on their own initiative" to the authorities with a petition that Article 77 (1) of the RSFSR Criminal Code should be strictly applied to offenders. Under this Article, prisoners who intimidate others who "have embarked on the path of correction," prisoners who criticize the administration or organize "criminal groups" for these ends can be convicted to between eight and 15 years deprivation of freedom or sentenced to death. The zeal of these two "exemplary workers and citizens" was soon recognized by all kinds of incentives.

Punishment for "absence from one's place of work" is quite common. In 1974–75 reports were even filed by non-MVD employees—by foreman

Azarov, safety technician Zhilin and others. These free men justified their actions by saying that *zeks* are obliged to work. And when attempts were made to explain to them that the norms had been set too high and that the food was inadequate, back came the stock reply: "But you're being punished."

The very fact of imprisonment is in itself a cause for punishment. "Grounds" in such a case are found by dint of a sadistically scrupulous compliance with the terms of the regime in which prisoners are held. For example, Podgorodetskii went up to the censor, Lieutenant Kolesnichenko, wearing his barber's jacket. He greeted her and asked if there was a letter for him (the working hours in the barber's shop were the same as the censor's reception hours). The censor demanded that Podgorodetskii should behave correctly and announce himself in the accepted fashion: "Convict so-and-so at your disposal." Podgorodetskii refused to go through this senseless procedure. He was then punished for "non-observance of the correct form of dress and rudeness to a representative of the administration," although during all the 26 years of his imprisonment he had been an example of politeness and decorum. Following a report from Captain Kytmanov, B. Shakhveryan was deprived of the use of the camp shop for "not standing up to greet him."

The sequence of punishments is usually as follows: a verbal warning, a reprimand, deprivation of the use of the shop for a month, solitary confinement, the PKT and prison. Often, though, this order is not observed, deprivation of the use of the shop and solitary confinement being seen as the most effective measures. Since 1977, when new rules were introduced to govern the internal routine of an ITU, it has been possible to put someone in solitary confinement for an indefinite period. The authorities in Vladimir prison have not failed to take advantage of this, keeping Z. Popadyuk inside for 45 days running in June/July 1978. However, this clause in the Regulations, permits *de jure* what was widely made use of before *de facto*. Thus S. Sepelyak (Camp 36) was kept in solitary confinement for the same period of 45 days.

The atmosphere of impunity in which the administration operates turns all the guards, not to mention the officers, into torturers, their professionalism depending on the degree of their malevolence. "Let me have him for my detachment and he'll become as good as gold," said Lieutenant Kuznetsov to the chief officer of another detachment, referring to V. Pavlenkov, and this was no idle boast. Detachment officer Kuznetsov, perpetually drunk, would amuse himself by seeking grounds for punishments. On Christmas Eve S Soroka put a candle and the branch of a Christmas tree on his bedside table—solitary confinement. A carelessly made bed—solitary confinement. Collar unbuttoned—solitary confinement. What little cause one needs to punish "state criminals."

The broad spectrum of punishments often proves inadequate, and then they resort to compiling false reports. A classic example of this kind of falsification was the document compiled on the orders of Chief of Operational Section Khramushin on Bukovskii and his absence from his place of work. In his complaint to the Public Prosecutor's office, Bukovskii pointed out that on the day in question he could not have been either absent from or prese[illegible] place of work, as it was his day off, a Sunday. Pronyuk was punished for not going to work although he had been given time off for sickness.

Section IV

Medical Services

The following information deals with the medical services in Camp 35 since the central hospital has been run by Yu. Sh. Shelii, i.e. from September 1976, with additional particularly odious offences from other camps (sufficiently detailed information on the subject up to this date can be found in material already published).

Clearly the seriousness with which the medical service treats the sick is determined by the nature and complexity of the illness. Capacity for work and the extent of possible punishments for *zeks* must be determined by the administration on the basis of decisions made by the VTEK commission (Medical Commission for Determination of Disability) which examines all *zeks* once a year. The decisions of these VTEK commissions are as a rule subject to recommendations by MVD and KGB officials, and often to prejudiced reports from the camp's head physician. I. Svetlichnyi, V. Podgorodetskii, G. Gimpu and V. Filonenko were all at one time declared invalids, but then were deprived of Group 2 disablement status; invalids in this group are only required to work if they feel up to it. The illegality of such decisions is obvious, since Svetlichnyi has not grown eight new fingers, Podgorodetskii's hump has not disappeared, Gimpu has not suddenly acquired a stomach which has been operated on and the progressive deterioration of Filonenko's bone marrow has not been halted. Incidentally, when Filonenko was deprived of Group 2 status, the results of blood tests were entered on his medical card, tests which, for all the years of treatment in clinics, had never been carried out.

Falsifying the results of tests—entering them up as better than they really are—is a widespread phenomenon in the ITU central hospital and in the medical departments of Camps 35, 36 and 37. For example, in the case of Marchenko's illness, facts were entered which did not correspond to the truth. The results of tests carried out in the Kiev Institute for his kidney disease prior to his arrest contrast strikingly with similar ones carried out in the KGB isolation prison in Kiev while he was there for treatment consultations.

Invalids with Group 3 status—normal work with some limitations—are required to fulfil a production norm, and if this is not fulfilled, there are severe punishments. Svetlichnyi, Pronyuk and Marchenko were all punished in this way with the knowledge and approval of their doctors. For refusing to work, Group 3 invalids S. Mamchur (deceased), E. Prishlyak and D. Basarab were subjected to psychological intimidation by threats of further punishments. From this, it can be concluded that not only is the invalidity group not a factor in securing easier conditions for *zeks*, but it does not even protect them from disciplinary persecutions.

The atmosphere of abuses and violations of legality which prevails in the ITK (*ispravitelno-trudovaya koloniya*: corrective labour colony) bears its own evil fruit. The death of Mamchur is instructive. After being called several times, the guard eventually came to the sick prisoner, then came the duty officer, then the deputy political officer, and after quite a time had passed they found the duty nurse, Kuznetsova. She did not know what to do, and asked *zek* Cherkavskii, "Should we give him a jab of magnesia?" Then, finally, T. A. Solomina appeared (a non-specialist doctor who was in fact a graduate from the faculty of sanitary hygiene) who, seeing the critical condition of Mamchur, managed merely to order "hospitalization." But the patient, who had been suffering from a violent headache, followed by hallucinations and nausea, lost consciousness. . . . He began to have convulsions and his face became distorted. These were clear symptoms of a stroke (for several years, Mamchur had been an invalid due to high blood pressure) but they had remainded undetected by the nurse and the doctor for nearly three hours, until the consultant Utyro arrived. As a result no first aid was given. The post mortem showed a brain haemorrhage.

This is an appropriate point to give a brief account of the contacts which the deceased had had with the representatives of the camp's medical service. Mamchur usually received his monthly diet rations no more than twice or three times a year. In January 1977 he was in hospital and for three months before his death on 10 May 1977 he asked in vain for his diet rations. Authorization came through the day after he died. At the begining of May, hospitalization had again been suggested but Mamchur, accustomed to being patient, was happy to delay it; hospitalization meant being kept in almost prison-like conditions and he found this very oppressive.

The medical staff or ITU VS-389 [1] carry out the administration's most scandalous instructions. In the summer of 1975 Major Varumin personally examined B. Shakhverdyan's anus and rectum before a meeting with relatives. In July 1976 a gynaecological examination of Marchenko's mother was carried out in the presence of a guard by a female medical student, Ermakova. Petrov, a doctor at Camp 36, acts as a distributor of favours and receiver of information from *zeks* collaborating with the KGB (S. Taratukhin's statement in the winter of 1976 exposed this). When he tried to recruit M. Gorbal as a KGB collaborator in November 1974, K. Ismagilov promised that in return he would "get his diet rations without any problem as well as regular rest periods in the hospital." In this way, sick prisoners are deprived and the health of those waiting to go into hospital suffers.

Transport from Camps 36 and 37 to the central hospital in Camp 35 is by ordinary closed van (Pleish's death was hastened precisely because of this), although it is laid down by law that the sick must be transferred in vehicles especially equipped for the purpose.

Diet rations in ITU VS-389 are still at an extremely unsatisfactory level. The allowance always contains stale food, sometimes totally unfit for consumption. From August 1977 to September 1978 meals were prepared from pickled cabbage which by the winter was totally inedible. In the summer and autumn of 1978 the butter in diet rations was replaced by margarine or combined fats. In August and September they used dried potato. In the six years of the camp's existence, the sick in Camp 35 have never had fresh fruit. And the cost of the so-called special diet (about 25 rubles) hardly allows for the minimum number of calories needed by a sick person.

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[1] VS-389 is the code for the central administration of camps in the Perm region, including camps 35, 36 and 37.

The central hospital is a small, two-storied building which is kept clean by *zeks* and this is where the sick from Camps 35, 36 and 37 are taken. Because of the administration's desire to reduce contacts between the camps to a minimum, these three groups are always kept in closed quarters and the nurse and doctor are always accompanied by a guard. The fact that there is no 24-hour roster of medical staff (the nurse in the central hospital is on duty from 8 a.m. to 8 p.m.) endangers the lives of the seriously ill and the fact that there is no duty orderly causes them additional suffering. Because of the administrative considerations mentioned above—the prevention of contact—prisoners are allowed to go for walks for only two hours a day and in their own separate areas. The central hospital's medical personnel consists of the Chief Physician, Shelii, who is a surgeon, Doctor T. N. Shepkasovoi, a general doctor, and a staff of three to six nurses. The operating theatre, the laboratory and the X-ray department, fitted with equipment which by no stretch of the imagination could be called modern, allow some examinations and operations to be carried out on the spot, depending on the competence of the doctor concerned, but usually only minor ones. Doctors from Chusov hospital are called in for the more difficult operations and for consultations.

Each camp has its own sick bay with, in Camp 37, one doctor and in Camp 36, two, but because of the irregular delivery of medicines and also the lack of specialists (there was no dentist in Camp 36 for nearly 18 months in 1976–77) the situation in the medical service remains unsatisfactory. About 30 per cent of the *zeks* in Camp 35 are seriously ill. Among those who have diseases which are practically incurable under local conditions are Gerovich, who has cancer of the urinary tract, Filonenko, who has inflammation of the marrow, and Marchenko, who has nephritis. Whether any action is taken depends directly on the prisoner's convictions, his behaviour and his position in the camp.

The tragic results of such a medical service can be seen in the following list of people who died prematurely since the summer of 1972: Mityuk died in transit from Mordovia to the Urals (he was not given any treatment for his diabetes), Gantvars (hypertension), Kurkis (perforated ulcer), Kibartas (cancer of the liver), Mishkenis (post-operative complications), Opanasenko (hanged himself in hospital), Rudokas (heart failure), Knavinsh (coronary thrombosis), Pleish (an illness of the digestive organs), Lush (coronary thrombosis), Mamchur (stroke), Mezhals (coronary thrombosis), Stroganov (asthma and weak heart). The last six died while Shelii was in charge. Since diagnoses are carefully kept from patients, and particularly from the other *zeks*, there is a chance that mistakes might have crept in to this list of causes of death. According to *zeks* from Mordovia, the medical situation there is even worse.

One should point out, however, that changes for the better have recently been observed in the medical services of ITU VS-389. The hospitals are now supplied without delays with effective medicines for a range of current ailments of the cardio-vascular system, the liver and gall tracts, the digestive organs and tuberculosis, although as before there are no drugs for treating rare diseases, and the administration refuses to accept them when they are posted from a convict's home and addressed to the chief physician. In some cases the medical commission —consisting of Shelii and Chepkasovoi—does allow the seriously ill to receive parcels. Even a year ago it was impossible to get the administration to apply the corrective labour legislation in this respect. Also in the past few months, no *zeks* running high temperatures have been made to work and the seriously ill have not been seen doing forced labour, as was V. Gandzyuk (tuberculosis of the bones, weight 47 kg. height 176 cm.) under Major Yarushin in 1974. There are grounds for saying that this improvement was the authorities' reaction to the massive protests by *zeks* and thanks to the support of world opinion. It is thanks mainly to the second factor, to protests and complaints (initially ineffective and often resulting in further repressions) to the medical department of the GUITU (Chief Administration of the Corrective Labour Institutions), to the Ministry of Health, to the Central Committee of the CPSU and to the Red Cross that we are able to speak of certain improvements.

Valerii Marchenko

Section VI

Transit

We knew that transit was often painful but we had no idea what an ordeal it was for the majority of *zeks*. It takes an absurdly long time, seven to ten times longer than the normal journey. During the transit period *zeks* are usually shunted about several times from their carriage into a closed van, then into one, then another then a third room of the next transit prison, and then back again, " faster, faster . . ." (the dots represent foul language), men with sub-machine guns, dogs, " sit down, stand up," a search, another search and so on. For a *zek* with heavy luggage, it becomes a nightmare, although most of the criminals are able to pack all their belongings into wretched little bundles.

As far as the sick are concerned, the convoy generally shows them no mercy. They have to keep moving like everyone else, to the accompaniment of swearing and showing. It is astonishing, but if a seriously ill *zek* has to be sent to a prison hospital, he is put on an ordinary transit, provided that he can move his legs, or even on a stretcher. In most cases which we and the other political prisoners have observed, they were not accompanied by a doctor or nurse. If the hospital is not far away, the seriously ill are transferred by ordinary closed van. As the roads are full of pot-holes they are shaken body and soul.

According to Marchenko, on 7 April 1978 when prisoners were being transferred from the railway station to Kazan transit prison, 28 people were crammed into a closed van, intended only to carry just a few. They were kept in the van at the prison yard for about an hour in the full heat of the sun, and this is normal practice. People gasping for breath begged the convoy to let them out, but it was futile. Marchenko also reports that on 24 April 1978, three people—Tsios, Zeitunyanin and himself—were kept in an isolation compartment which was cramped even for one. They were released after half an hour only after threatening to complain to the State Prosecutor. But the others, in the main compartment who were not politicals, had to wait for several hours more. Someone urinated on the floor. People spend hours in the vans and in the cramped, dirty, toilet-less cells—" cess-pits "—of transit prisons. The tiny and always stinking one-person boxes are even worse. In July 1978 Antonyuk spent a whole day in one of these isolation boxes, while in transit from Vladimir prison to Camp 35. He suffers from tuberculosis of the bones and has a serious liver complaint.

A compartment of a police wagon is the same or half the size of a normal railway carriage compartment, but without a window and with a barred door on to the corridor, which is patrolled by a guard. The toilet windows are painted over and normally closed; the ventilation is switched off. Instead of the 10 (or three) people who can be accommodated in these compartments lying down, they normally cram in between 14 and 18 (or five to six) who are forced to spend anything from one to three days there. Sometimes, for a few hours, up to 25 people can be squeezed in. The toilet has no water, it is impossible to wash and of course there is no bedding.

In the majority of cases the convoy escorts are crude and cynical. They give out water and empty the toilets only when the whole carriage is kicking the barred doors, which sometimes happens twice or even three or four times a day. Each day during transit a *zek* gets about 600 g. of bread, a medium-size pickled herring and 20 g. of sugar. In June 1978, in transit from Moscow to Kirov, Orlov asked the convoy escort for something to drink; the reply: " You'll make do without water." With him in the half-size compartment were two old men suffering from tuberculosis, who had to hold each other up when they walked. Having asked in vain to go to the toilet, one of them urinated into a cellophane bag, half of it spilling on to the floor and lower berth. They were then moved to another compartment, which was already crowded, to isolate them from the political prisoner. When one of them wanted to lie down on the floor, the escort did not let him. Having asked several times to be let out to go to the toilet, V. Lisovoi was forced to urinate in the compartment, into a jar which happened to be there. In August 1977 Z. Popadyuk was held in Penza prison in the same cell as people with tuberculosis and syphilis. In November 1972 Antonyuk saw officers taking women from their compartments to sleep with them; he observed this while in transit from Kharkov to Perm, via Sverdlovsk, and at the Sverdlosk transit station itself.

In June 1978, M. Matusevich, who was on hunger strike, was accompanied by a doctor while in transit from Kiev to Camp 35. But the doctor refused to give any assistance to a criminal prisoner in the next compartment who had a serious internal illness and serious skin disease. A nurse should have been accompanying him, but the transit set off without her. He was damp all over with pus, and the other *zeks* including Matusevich tore up their shirts and foot bindings to make bandages. That, briefly, is what transit conditions are like.

Yurii Orlov

Section VII

The Clamp-down on Information

The facts we give below on the violation of human rights in connexion with correspondence and the free flow of information cannot possibly give the whole picture because of the extremely difficult circumstances in which this was written.

The possibility of getting this kind of information out of the camp is very limited. We are therefore obliged to restrict ourselves to a few facts from the lives of political prisoners in ITU VS-389.

At a press conference in Moscow in 1974, Academician Sakharov provided western correspondents with hand-written material from Camp 35 written by Z. Antonyuk. As the correspondents then photographed and published these documents, they also became known to the KGB. Several months later, Antonyuk was summoned to appear before a so-called supervisory commission in Camp 35. It was suggested that he should write a letter of recantation to be published in a newspaper, otherwise, he was promised, he would be sentenced to a term in prison.

As Antonyuk rejected this deal, in July 1975 he was sent to Vladimir prison. In 1978, S. Gluzman and S. Kovalev in Camp 35 were confined to cells in the punishment block for six months for collecting and storing information on the situation of prisoners in the camp. In order to prevent such information getting out of the camp, the administration interferes in the most barbarous fashion in prisoners' meetings with their relatives. Yu. Khvedko, for instance, has seen his mother only twice (in 1969 and 1974) in the eleven years he has been in prison. As soon as one of his relatives wrote that he was coming to visit him, the administration replied that Khvedko had been deprived of the right to have meetings.

In May 1978, the mother of Z. Popadyuk arrived in Vladimir to see her son. On the grounds of some triviality, the prison administration deprived Popadyuk of the right to see her. It was only several weeks later that Captain Doinikov revealed the real reason for preventing the meeting: "On her way to Vladimir, she had visited the homes of various anti-Soviet people in Moscow and had gathered news. She'll go on being deprived of the right to see her son."

G. Superfin believes that his mother's stroke and subsequent death were brought on by the perpetual confiscation of letters and prevention of meetings with her son.

If a prisoner is allowed a prolonged visit, the women and children who arrive to see him are frequently stripped naked, searched and subjected to the most humiliating examinations. Before one such visit on 22 September 1977, P. Plumpa was taken by four supervisors to a separate room and stripped. The camp doctor, Petrov, then inserted fingers into his rectum and poked around, searching for some sort of "information." There were no grounds whatsoever for believing that Plumpa was carrying such "information" in his body.

In 1976, Plumpa's nine-year-old son and five-year-old daughter were taken away from their mother, taken to a separate room, stripped and their clothes searched before a meeting.

In May 1978, R. Marksonyan had a two-hour meeting with his brother, but was not allowed to shake his hand. They were also forbidden to speak in their native Armenian. The supervisor present at the meeting continually warned them that if they uttered even one word of Armenian, the meeting would immediately be cut short.

As a rule, during short meetings, only Russian is allowed to be spoken. If the children or relatives of a non-Russian prisoner cannot speak Russian, there is no way for them to take part in a conversation.

The prison administration frequently uses national or religious pretexts for confiscating or withholding correspondence. A letter from Antonyuk, dated 1 September 1976, to his wife was confiscated by the administration of Vladimir prison, because it contained a quotation in Ukrainian from Herodotus. As a result of this patent Ukrainophobia, Antonyuk's correspondence was interrupted for a whole year. His letter of 2 January 1978 was simply stolen on the pretext that it had to be translated. All enquiries concerning this letter remained unanswered.

When Marchenko was held by the KGB in Kiev (autumn and winter 1977–78), a considerable quantity of letters including registered letters arrived for him at Camp 36. But when Marchenko returned to the camp the administration refused to give him these letters and greetings, including those congratulating him on his 30th birthday.

The camp administration holds back letters to non-Russian prisoners for several weeks. In 1976, M. Kiirend complained to the Chusovsk Public Prosecutor: " I should like to draw your attention to the outright violation of the law concerning the delivery of personal correspondence. Letters are given to me one month after they arrive in the camp: I received a letter dated 23 April on 3 June, one dated 12 May on 10 June. The same delay occurs with the letters I send. I protest against the arbitrary and groundless withholding of my correspondence."

As his complaint gave no results, and the camp KGB representative said that letters written in languages other than Russian were sent to the KGB, Kiirend wrote to the head of the Skalisnk KGB, Degtyannikov, saying: " According to the present law, letters should take three days to reach me and my correspondents, but because the letters I send and receive are written in Estonian the administration of Camp 35 automatically delays delivery for more than one month. I consider this to be a manifestation of chauvinism." Anyone who writes this kind of complaint to the camp administration in Camp 35 or 36 is encouraged by the censor or his representative to cease writing letters in his native tongue. For example, Plumpa sent 15 registered letters from 4 December 1977 to Lithuania, but not once did he receive confirmation that they had been posted.

When, on 5 September 1978, Plumpa asked the censor why the registered letters never reached their destination and why receipts are not issued on dispatch, the censor replied that if receipts were to be issued letters written in Lithuanian would take three months, whereas at present they only take five weeks.

Religious books or letters on religious themes come into the category of hostile and slanderous information which is liable to confiscation. In May 1977, I. Ogurtsov (Camp 36) was sent an Easter parcel. Among other things, it contained a Bible. Camp officials opened the parcel, confiscated the Bible and then returned the parcel to the sender.

P. Plumpa in Camp 36 was sent letters with extracts quoted from the Bible. On 17 January 1977, he was told that these excerpts had been confiscated as religious and tendentious.

Prisoners hardly ever receive letters from abroad, with the exception of letters from Israel, which are confiscated slightly less frequently. The whole of the time they were in camp, the following received not one letter from abroad: Kiirend, Marchenko, Antonyuk, Grabans. Ogurtsov occasionally received a letter from Poland. Plumpa received only one letter from abroad in all those years, dated 6 February 1976, from Switzerland.

In Camps 35 and 36, complaints sent by political prisoners to state bodies are also classified as forbidden information. On 1 April 1977, Marchenko was searched and a complaint he had written to the Prosecutor General, Rudenko, was confiscated. In this complaint, Marchenko had written about several illegalities which had occurred during his investigation and trial.

In Camp 35, an appeal by V. Lisovoi dated 31 December 1978 to the Chairman of the Supreme Soviet, Shitikov, for more fresh fruit in the camp canteen, was confiscated.

In March 1978, I. Grabans addressed a complaint to the Presidium of the Supreme Soviet of the USSR, in connexion with the fact that letters from Latvia took two-three months to reach him. Shortly afterwards, his correspondence was completely interrupted and for five months he did not receive a single letter.

These facts, although they represent a tiny part of the whole story, demonstrate that the administration of ITU VS-389 has extensive power to violate human rights and state laws in connection with political prisoners. It has the power to block any information concerning these violations even to the extent of confiscating complaints by prisoners to superior bodies.

In strict regime camps, television and radio sets are forbidden. A prisoner is allowed to send two letters, postcards or telegrams to private citizens per month. It is absolutely forbidden to use the telephone. It is forbidden to send appeals, complaints or other correspondence of this nature to non-state organizations.

A prisoner is not allowed to complain on behalf of another prisoner, and collective complaints are not allowed. Representatives of the Red Cross, foreign correspondents and other foreigners have never talked to prisoners in Soviet political camps. It has to be said that when Soviet prisoners read in the Soviet press about the restrictions of the rights of political prisoners in the West or even in camps in Chile, they shed no tears. These restrictions cannot be compared in any way with those encountered in Soviet camps.

Pyatras Pluiras-Plumpa, September 1978

The Life of Political Prisoner Igor Ogurtsov is in Danger

Document No. 88

On February 15, 1967, in Leningrad, Igor Ogurtsov, a young philologist and specialist in Semitic languages and cultures, was arrested. He was sentenced to 7 years in prison, 8 years in camp, and 5 years in internal exile -- 20 years deprivation of freedom -- for treason, by the Leningrad City Court according to Article 64 of the Penal Code of the RSFSR.

The illegal student social-Christian union ("National Social-Christian Union for the Liberation of People"), which had 20 members and which was formed by Igor Ogurtsov and other young scholars and students, was characterized by the Court as "a plot aiming to seize power." Four people, including Ogurtsov, were convicted separately under Article 64 of the Penal Code of the RSFSR; the rest faced charges under Article 70 of the Penal Code of the RSFSR.

At the trial, Ogurtsov acknowledged the existence of the Social-Christian Union, but entirely rejected the charge of high treason. He wrote in letters to his relatives from prison: "Nobody was interested in the legal aspects of our case from the very start. Do you really think that the judges were so ignorant as not to understand the difference between a plot aiming to seize power, and an illegal group, whose long-range aim was the expansion of the Social-Christian movement...." And further, "The absurdity of the treason charge and of the charges against two students and two philologists of a desire to seize power was obvious from the very beginning. (Such a thing in itself is unbelievable). In our Program, a completely opposite wording was formulated. The oath taken by each member began with the words: 'I, a son of great Russia, swear to my Fatherland and to my People to devote energy in the struggle for the freedom and prosperity of my Motherland.'"

As we know, the real activity of Ogurtsov and the other members of the VSKhSON Union was to study and discuss philosophical and historical literature (Berdyayev, Solovyov and others).

It is absolutely clear tht Igor Ogurtsov was subjected to such harsh punishment, not for "treason" and "conspiracy," but for free thought, for free communication with people holding the same philosophical and religious views, and for the creation of a free association of people thinking about the fate of their Motherland.

All of the others convicted in this case have already been released after having served their sentences. Igor Ogurtsov is still in prison. This is the thirteenth year of his term.

An attempt by Ogurtsov and his parents to gain admission to the hospital of the Ministry of Internal Affairs in Leningrad through the Medical Department of the USSR in the Ministry of Internal Affairs met with an absolute refusal in the form of the "satisfactory condition of the convict's health." (Document No. 11-1759 of April 20, 1979).

We remember the tragic death of Yuri Galanskov, who was also refused admission to the Leningrad hospital of the Ministry of Internal Affairs, but who was offered the surgical services of the local prison doctors, whom he did not trust.

Igor Ogurtsov is dying. Not only doctors and medicine are needed in order to save him but, more importantly, the normal conditions of human existence.

We call upon all the heads-of-state of the countries which signed the Helsinki agreement, and their citizens (particularly doctors) to make use of all available methods and means to save the life of Igor Ogurtsov.

May 13, 1979

Moscow Helsinki Group:

Elena Bonner
Sofya Kalistratova
Malva Landa
Viktor Nekipelov
Tatiana Osipova
Yuri Yarym-Agaev

Document 89

Freedom from Psychiatric Repression
On the Abuse of Psychiatry for Political Purposes

The well-known human rights advocate, General Petr Grigorenko, agreed to be examined by some of the most prominent American psychiatrists, including Professor Alan Stone, recently elected President of the American Psychiatric Association. Three of the most highly qualified psychiatric specialists who examined Grigorenko, independently and via different methods, came to the same conclusion: Petr Grigorenko is psychologically healthy and exhibits no signs of mental illness.

This conclusion was not unexpected. None of those who knew Grigorenko ever doubted his mental health. Eight years ago, the young Kiev psychiatrist Semyon Gluzman bravely reported on Petr Grigorenko in his "Psychiatric Examination by Correspondence." In this report, based on documented medical data and on information on Grigorenko's personality and activities, Gluzman also concluded that Grigorenko does not suffer from any mental illness and is sane.

Gluzman's report led to his own arrest and trial under Article 70 RSFSR Criminal Code. He spent seven years in the Perm labor camps and now lives under harsh conditions of exile in the Teyazh village of Nizhny Tavda in the Temen region. As a result of a four-month hunger strike, Gluzman is now in hospital.

Even earlier, during the investigation of the Grigorenko case, an expert commission chaired by the famous psychiatrist Professor Detingoff in Tashkent concluded that Grigorenko did not suffer from any mental disease and that incarceration in psychiatric hospital is injurious to his well-being.

After a second "examination" in the Moscow Serbsky Institute Grigorenko was declared an insane paranoic ordered by the court to be subjected to forcible "treatment." We do not doubt that it was clear to the Serbsky Institute psychiatrists and the judicial and administrative authorities that Grigorenko is healthy.

According to the law, people declared insane are not responsible for their actions; that is, they are not guilty but sick. A sick officer is retired, receives a pension and retains his military title. General Grigorenko, however, after being declared insane, was demoted and stripped of his pension. Consquently, between confinements in psychiatric hospitals, Grigorenko was forced to work as a stevedore.

By demoting Grigorenko and depriving him of his military pension, the court indirectly admitted that it considers Grigorenko not sick but guilty and that it is punishing him by placing him in a Ministry of Internal Affairs psychiatric hospital. Thus, it is an obvious crime to incarcerate a healthy man in a psychiatric hospital.

The "case" of Grigorenko, a warrior, a general and a military scholar, is worrisome in and of itself. But this case takes on even greater significance as proof that the Soviet Union systematically distorts the practice of psychiatry and uses it for political purposes to persecute hundreds of dissidents and believers.

This criminal system continues, even though such people as Bukovsky, Gluzman, Aleksandr Podrabinek (who is now in exile for writing the book Punitive Medicine) and the wide-spread protest campaign in the West have revealed it for what it is.

Mykola Plakhotnyuk and Iosif Terelya have languished in psychiatric hospitals for many years. During this time they are subjected to intensive "cures" which destroy their health. Only recently, the dissident publicist Boris Yevdokimov was released from psychiatric hospital.

After many years of confinement in psychiatric hospitals, the would-be emigrant Mikhail Lutsik was released and his diagnosis was reversed. But who can return to him the years and health lost in confinement?

These are only isolated examples, and could be amplified. Hundreds of prisoners of conscience (and we do not even know of them all) continue to suffer for their convictions and religious beliefs in the harsh conditions of the Ministry of Internal Affairs special psychiatric hospitals. Hundreds of others, listed on psychiatric registers, may be seized at any time and forcefully incarcerated in psychiatric hospitals by order of the authorities.

The continuing practice of psychiatric repression in the U.S.S.R. is described in detail in the Information Bulletins of the Working Commission on Psychiatric Abuse.

The campaign against psychiatric abuse demands that every case be made public. We call for a thorough and objective investigation, of Petr Grigorenko's case and of all known cases of unjustified detention in psychiatric hospitals.

This investigation must try to bring the guilty to justice. Foreign and national psychiatrists must participate. We appeal for efforts to free Doctor Gluzman from exile.

May 20, 1979

Moscow Helsinki Group

Elena Bonner
Sofya Kalistratova
Malva Landa
Viktor Nekipelov
Tatiana Osipova
Yuri Yarym-Agaev

Working Commission:

Vyacheslav Bakhmin
Feliks Serebrov
Leonard Ternovsky

New Threat Against A.D. Sakharov

Moscow Helsinki Group Document No. 90

On May 13 and May 16, 1979, respectively, group member Viktor Nekipelov and member of the Initiative Group for Defending the Rights of Invalids, Valery Fefelov, both living in the Vladimir Oblast, received anonymous letters sent from Moscow, with the following contents:

"On June 3, 1979, an attempt on the life of A.D. Sakharov is planned."

In connection with these letters, we express serious concern and consider it necessary to inform the world about this.

May 20, 1979

Group members:

Elena Bonner
Sofya Kalistratova
Malva Landa
Viktor Nekipelov
Yuri Yarym-Agayev

MOSCOW GROUP FOR MONITORING COMPLIANCE WITH THE HELSINKI ACCORDS IN THE USSR

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4 June 1979

Document No. 91

The emigration policy of the USSR is at the moment an unbroken chain of violations both of human and citizens' rights, disregard for the law, and arbitrariness.

The West has of late demonstrated a tendency to view any increase in the number of Jews receiving exit visas as a substantial improvement in the emigration policy of the USSR. However, for all the significance and fundamental import of the issue of Jewish repatriation, this issue in no way encompasses the entire problem of freedom of emigration.

For purely mercantile reasons, Soviet authorities open the valve a little, then turn it off, letting out a greater number of Jews, then a lesser number, creating the impression that they are fulfilling their international obligations in the area of emigration. The rest of the country's population is deprived even of this narrow and arbitrary "freedom of emigration".

In the third section of the Helsinki Final Act, the signatory states obligate themselves to aid in the process of family reunification, the members of which live in different countries. This in no way alters, but rather suppliments the basic right of the individual to emigrate from and to return to his/her country, as guaranteed by article 13 of the Universal Declaration of Human Rights and article 13 of the International Convention on Civil and Political Rights, the necessity of complying with is affirmed by article 7 of the First Section of the Helsinki Act.

However, Soviet authorities, completely ignoring the principles of freedom of emigration, regardless of the reasons that impel a person to leave his/her country, do not accept or process applications for emigration without the presence of an "invitation" from one's relatives. (It must be mentioned that even when such an "invitation" has been obtained, thousands of citizens still do not received permission to leave).

Part 3 of Article 12 of the Convention on Civil and Political Rights establishes, that the right to emigration may not be limited except as provided by law. But in our country there is no law (at least not published) establishing a basis for refusal of the right to leave one's country, or the right to return to it, nor a law, setting up a procedure for processing and resolving emigration cases. In place of law, the arbitrary decisions of OVIR official hold sway, or, in many cases - those (decisions) of higher government officials, turning down emigration applications, as a rule, for no valid reason and just verbally.

In those rare cases where one manages to get a written refusal, the arbitrary and lawless approach of the authorites becomes most evident. We will present one example of such a written refusal, received by human rights activist Viktor Nekipelov from the Executive Committee of the Vladimir Oblast Council of Workers' Deputies of 10 April 1979.

> "At the behest of the appropriate authorities, I must inform you that your request for permission to emigrate for permanent residence in the State of Israel, and to renounce Soviet citizenship may not be granted, inasmuch as your relative living the State of Israel is not a member of your family, and renunciation of your citizenship conflicts with the interests of the USSR".
>
> Director of the UVD Vladispolkom   A.F. Petrov

Without going into the question of serious discrepancies in the new USSR citizenship law in this document, it must be noted that emigration per se should not be a basis for deprivation of one's citizenship.

Tens of thousands of Jews, Gemans, Russians, Ukrainians, Lithuanians, Estonians and other persons of different nationalities and various religious beliefs have been trying for years to get permission to emigrate. The absence of legal means to put the right to emigrate into effect, and also the established tendency to perceive those who wish to leave the country as something approaching criminals if not traitors, leads to a situation where thousands of persons not only do not receive permission to leave but are then subject to persecution and harassment. They are forced to give up their jobs, expelled from educational institutions, and frequently brought into court on trumped-up charges.

If the emigration situation is going to be genuinely improved, it is vital that an emigration law be enacted and widely published. This law must be in conformity with the international obligations that our government has pledged itself to observe. This law should contain clearly enunciated reasons by which a person might be refused the right to emigrate, and a procedure worked out in detail for hearing emigration cases and for appealing refusals of permission to emigrate.

In view of the violations of emigration rights that have become typical for our country over the decades, the law must contain the following basic parts:

1. A general declaration of the right of every citizen to leave his/her country and return thereto, with reference to the pertinent articles in the Universal Declaration of Human Rights and the International Convention on Civil and Political Rights
2. A statement to the effect that emigration per se does not involve losing Soviet citizenship.
3. Prohibition of all forms of discrimination and persecution for the wish to emigrate.
4. Removal of the requirement that one must have an "invitation" from relatives in order to have one's emigration application considered.
5. A comprehensive listing of the reasons according to which one might be refused permission to emigrate, clearing describing what unfulfilled obligations and what state interests preclude the right to emigrate, and for how long they are in effect.
6. A provision stating that disagreements between parents and minority-aged children concerning (the latter's) emigration must be decided in court on the basis of the actual relationship between the children and each parent in question.
7. A comprehensive listing of those documents necessary for inclusion

7. A comprehensive listing of those documents necessary for inclusion in the request for permission to leave the country.

8. A requirement that the person who has petitioned for permission to emigrate be provided with a written notice in the event of refusal with an indication of the reason for refusal and the duration of the refusal, with reference to the applicable article of the law.

9. Establishment of a deadline, during which an application for emigration must considered.

10. Establishment of legal means by which an emigration refusal might be appealed with a guarantee of judicial process with full public disclosure.

The issuance and wide-scale publication of such a law would aid in the improvement in the emigration situation and make it possible to monitor the international obligations of the government on the issues of observing human rights in the area of freedom of emigration and the right to choose one's place of residence.

Members of the Moscow Helsinki Group:

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Moscow Group for Monitoring the Helsinki Accords in the USSR

5 June 1979

Document No. 92

Persecution of the Editors of the Journal "Poiski" Continues

On 29 May 1979, Viktor Sokirko member of the editorial board of the samizdat independent journal of opinion "Poiski", was stopped in the subway, subjected to a body search and interrogated.

The search warrant was signed by Assistant District Attorney for the city of Moscow Nesterov. The detention and interrogation was conducted by senior investigator of the Moscow City District Attorney's office Burtsev in connection with case No. 50611/14-79 (a case initiated under art. 190-1 Criminal Code RSFSF concerning the compilation and dissemination of the uncensored journal "Poiski".)

During the body search, eleven copies (typewritten) of the fifth issue of "Poiski" and number of other handwritten materials were seized.

Sokirko refused to refused to answer any questions. After this, he was taken to his apartment, wherein another search was undertaken, during which were taken various handwritten materials, copies of articles intended for future issues of "Poiski", samizdat literature, notebooks, and a typewriter.

While the search was being condu cted at Sokirko's residence, one Gleb Pavlovsky stopped by, and he was subjected to a body search without any search warrant. From him, they took a manuscript and a notebook.

The latest search and detention, along with interrogations of Petr

Egides and the other editors of "Poiski" that took place in May of this year attest to the fact that the right to freedom of speech continues to be violated in our country, that people are being persecuted for thinking freely, for the uncensored word.

The editors of the journal "Poiski" are under the threat of repression.

Members of the Moscow Helsinki
Group

Elena Bonner
Sofya Kalistratova
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Background: Viktor Sokirko is forty years old. He is a college graduate. He works as a senior scientific researcher at the BNII for Heavy Machinery Construction, Petroleum Industry. He is married and has four children under 18 years of age.

MOSCOW GROUP FOR MONITORING THE HELSINKI ACCORDS IN THE USSR

11 June 1979 Document No. 93

FREEDOM FOR ALL IMPRISONED HELSINKI MONITORS IN THE USSR

A little more than a year ago, with the trials of Mikola Rudenko and Oleksa Tikhy in Ukraine and of the founder of the movement for Public Helsinki Monitoring Groups, Professor Yuri Orlov in Moscow, there opened up a series of legal actions against the members of these Public Groups. Their arrest was an intentional, blatant violation of the Helsinki Accords, assuming that there would no protest from the West This assumption was valid, and as a result, the delegations of the Western nations in Belgrade were placed in disadvantaged, difficult position.

All the trials of the Helsinki Group members were for all intents and purposes closed, their outcome was decided in advance, the accused were in effect deprived of any defense, and the courts had already prepared their cruel, predetermined conclusions. In this respect, all the trials differed only in their details, but the trial of Anatoly Shcharansky can be differentiated from the rest by one extremely important circumstance, which has acquired now a special significance.

Anatoly Shcharansky was sentenced to thirteen years in prison and camp on charges of treason, in connection with the CIA and spying for the USA.

Even before the trial, the President of the USA James Carter formally declared in se veral published statements, that Anatoly Shcharansky had absolutely no connections with the CIA. These statements are unprecidented in the annals of international relations and should be accepted with the utmost confidence in their veracity, inasmuch as it would be political suicide to come forward in such a situation with incorrect information in the democratic system that prevails in the USA, to say nothing of the President's own feelings of personal honor. Nevertheless, the Soviet authorities refused to believe President Carter and preferred the perjured testimony of the willful provacator Lipavsky to that of (the President).

All this takes on an especial significance in connection with the upcoming signing of the SALT II Treaty with its subsequent by the United States Sentate. This is a treaty of extreme significance and extreme complexity. From one perspective, this kind of treaty is essential, although it harbors potential, threatening dangers. In such a treaty, for instance, it is impossible to take into account and deal with all the ways in which it might be violated. It is completely obvious that the signing and ratification of same demands a certain degree of trust on both sides. Furthermore, the ratification of the treaty by the Senate is possible only if the American people and the Senate believe the assurances of SALT-II's backers, and most of all, the assurances on this score of President Carter.

The Soviet media has actively joined in the keen discussions in the USA on this issue; in particular, Soviet representatives and the Soviet press ha~~s~~ taken every opportunity to emphasize the statements that President Carter has made in favor of SALT-II. It is completely incomprehensible, how one might reconcile the insulting dismissal of President Carter's assurances on such a simple issue as a phony charge against Anatoly Shcharansky with spying for the CIA, with references to his authority on such an extremely complex issue as that of SALT-II.

This issue of trust vis a vis the Soviet side will play, both openly and on the quiet, a major role in the discussions in the Senate. Undoubtedly, many Senators will refer to the violations by the Soviet Union of those obligations to which it agreed with such particular solemnity through the Final Act of the Helsinki Accords, and most of all to the arrests and long sentences meted out to the members of the Helsinki Monitoring Groups in the USSR.

We consider it absolutely necessary, that the signing of SALT-II be accompanied by such a minimal expression of good will as the release of all members of the Helsinki Monitoring Groups in the USSR, to wit: Yu. Orlov, A. Shcharansky, A. Podrabinek, V. Slepak, M. Rudenko, O. Tikhy, M. Marinovich, M. Matysevich, L. Lykyanenko, O. Berdnik, V. Pyatkys, B. Gayauskas, R. Nazaryan, Sh. Arutyunyan, M. Kostava, V. Rtskhiladze, Z. Gamsqkhurkia.

Members of the Moscow Group

Elena Bonner
Sofya Kalistratova
Malva Landa
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Tatyana Osipova
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signed in support: Andrei Sakharov

Document No. 94

The Persecution of Members of the Independent Associations for the Defense of Workers' Socio-Economic Rights

A court in Leningrad convicted Lev Volokhonsky, a founding member of the Free Workers' Inter-professional Organization (SMOT). The authorities have defeated various attempts to form associations which fight for workers' socio-economic rights and which offer mutual and direct moral, legal and economic assistance to those who are in dire need of it.

There have already been reports on the repressive measures taken against those people who formed the Free Trade Union at the end of 1977 and early 1978. (The leader of that trade union, Vladimir Kelbanov, was arrested and then sent to a special psychiatric prison for dangerous psychiatric criminals. He is still there to this day). Reports have circulated of the criminal and psychiatric persecutions of several workers who supported the Free Trade Union. There have also been reports of the persecution of those who formed the Free Inter-professional Workers' Organization (SMOT) in October - November of 1978 (see Moscow Group Document No. 76, March of 1978 and another in January of 1979).

Lev Volokhonsky, a founding member of SMOT, was arrested on March 19 of this year and was put on trial on June 12. He was found guilty of "slander" and of "deliberately spreading fabrications which slander the Soviet state and social system" (Article 190-1 of the RSFSR Criminal Code). His sentence was two years of strict regimen labor camp. L. Volokhonsky, like others sentenced under this article, was sent to serve his term in a so-called "ordinary" camp with other people sentenced for robbery, hooliganism, bribery and other such crimes.

The court never accused SMOT of being an anti-Soviet or illegal organization, evidently because of all the attention the formation of trade union associations received in the West and within Western trade unions. Instead, charges were brought concerning the compilation of SMOT documents (which the courts described as "containing information about the founding of SMOT for foreign journalists").

Along with participation in SMOT, the specific charges against Volokhonsky were: distribution of literature of an "anti-Soviet nature" including Solzhenitsyn's Gulag Archipelago; a collection of articles by Sakharov; the samizdat bulletin, The Chronicle of Current Events; and a few journals in Russian published abroad. There was no evidence presented that Volokhonsky actually distributed this literature. (Volokhonsky himself asserts that, with the exception of the collection of Sakharov's writings, he did not distribute this literature. Witnesses who had testified during the preliminary investigation that Volokhonsky had distributed such literature refused to testify during the trial and stated that their previous testimony had been given under pressure). It seems that Volokhonsky had to be charged with the distribution of literature so that the real reason for his sentence -- his active role in SMOT -- would not be too obvious.

L. Volokhonsky declared at his trial that he was a founder and member of the Soviet SMOT -- a trade union organization -- defending his position (he refused the services of an official lawyer) by insisting that SMOT was a legal organization, since the Soviet Constitution guarantees the right to organize any trade union. There is a vital need to form free trade unions independent of the government in the USSR; SMOT and the All-Union Central Council of Labor Unions (Ed. -- an official Soviet organization) pursue different goals -- the Central Council is essentially a school for communism, while SMOT is concerned with the daily problems of workers and the defense of workers' rights.

The persecution of people for their peaceful and non-violent associations and the sentencing of one of the founding members of the Free Interprofessional Workers' Organization, Lev Volokhonsky, are examples of the total disregard for the rights stipulated in Article 20 of the Universal Declaration of Human Rights.

It was not and cannot be proven by the courts that SMOT documents contain "deliberate fabrications" or "slanders". The actions for which Volokhonsky was charged -- transmitting unclassified information and the distribution of literature -- are his attempts to make use of the right of free expression (Article 19, Universal Declaration of Human Rights). Criminal proceedings should be initiated against those who have perpetrated this crime against free speech and for such violations of international obligations.

The lack of human rights and freedom inevitably is connected with socio-economic injustice. Socio-economic rights for workers and social justice can only be realized through free workers' associations -- independent from the state -- which are struggling for such rights.

June 15, 1979

Moscow Helsinki Group:

Elena Bonner
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(The following is extracted from Moscow Helsinki Group Document No. 95 and principally concerns the trial of Adventist leader Vladimir Shelkov. The full text of Document No. 95 will be published by the Commission on Security and Cooperation in Europe at a later date).

The Persecution of Believers and the Supression of Freedom of Conscience, Belief, Speech and Press Continues Unabated in the Soviet Union: The Adventist Trials

Document No. 95

In March of 1979, the leader of the All-Union Church of True and Free Seventh-Day Adventists, 83-year-old Vladimir Shelkov, went on trial after being held in pre-trial detention for over one year.

Shelkov was sentenced to five years' deprivation of freedom to be served out in a strict regime "corrective labor colony" (camp). He was tried for his religious and human rights activities, which had already cost him more than twenty years of imprisonment.

Along with Shelkov, in March-April of 1978, other members of the Adventist Church were arrested and sentenced: Ilya Lepshin (5 years imprisonment), Arnold Spalin (5 years) and Sofya Furlet (3 years).

The families of the accused were evicted from their homes (the only places they have to live). Money, typewriters, tape recordings, recording cassettes and tapes, and literature were confiscated during house searches -- all these were seized by the court as "objects and instruments of crime."

Concurrent with the arrests, and following them, the Soviet authorities conducted numerous searches against members of the Adventist Church over a protracted period of time -- a large quantity of literature was taken, which had been printed by the underground Adventist press, "True Witness," as was typewritten and handwritten literature.

Vladimir Shelkov and his adherents were incriminated by articles and letters which gave information about the persecution of believers and the violation of their rights in the Soviet Union, and in particular by open letters addressed to the President of the U.S. and the Belgrade Conference concerning the monitoring of the implementation of the Helsinki accords in the USSR.

"Incriminating letters that were addressed to President Carter by V. A. Shelkov served as grounds for the initiation by the Procuracy of Stavropol krai on March 21, 1978 of Criminal

Vladimir Shelkov's health is worsening: he suffers from cardiac insufficiency and interruption of heart function.

June 16, 1979

Moscow Helsinki Group:

Elena Bonner
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The Ban on Professional Labor for Human Rights Activists

Document No. 96

Many human rights activists are scholars, engineers, doctors and members of other professions. The persecution of human rights activists in their professional lives has not subsided. Being dismissed from one's job not only brings material losses, but also a gradual disqualification from one's profession. While they are purposely kept unemployed, activists also face the threat of criminal prosecution under the so-called "parasite" law ("systematic engagement in vagrancy or begging," Article 209 of the RSFSR Criminal Code). In particular, the bitter experience of two members of the Helsinki Groups, the learned physicist Grigory Goldshtein, and Petr Vins (who was released in early 1979 after a year of imprisonment in labor camps for the crime of "parasitism") testifies to the reality of this threat.

Recently, the following people have been subject to repressive measures in the area of professional activities: the young erudite physical chemist Yuri Yarym-Agaev, a member of the Moscow Helsinki Group; the young mathematical programmer Vyacheslav Bakhmin, and the medical radiologist Leonard Ternovsky, members of the Working Commission to Investigate the Abuse of Psychiatry for Political Purposes; and the engineer programmer Sergei Khodorovich, one of the activists in the Russian Social Fund for the Aid of Political Prisoners and their Families.

We present more detailed information on their cases below:

Yuri Yarym-Agaev is a scientific researcher in the polymer department of the Physical Chemistry Institute of the Soviet Academy of Sciences from which he was dismissed in January of 1979. The method used for his dismissal in and of itself constitutes a threat to the free development of science. The department head and administrator of the Institute demanded that he "admitted to having performed classified work" and that he had filled out forms to that effect. Yarym-Agaev had previously said that in view of his principles he could not agree to having performed classified work. Then he was fired. At the point at which he was fired, Yarym-Agaev was at the most crucial stage in his very successful research (provisions for which he had already been made part of the Institute's plan) for an unclassified project. There were no grounds for classifying this work.

Vyacheslav Bakhmin had been working as a senior engineer in the "Informelektro" Institute since 1973. During that time, he successfully performed all the assignments given him and was considered a good specialist. The head of the laboratory in which he was working officially recommended that Bakhmin be promoted, but the director of the institute -- at the order of the deputy minister -- ordered that Bakhmin be fired. In order that the dismissal not appear to be obvious, it was proposed that Bakhmin should first be transferred to work as a lab assistant. This would offer the possibility of later dismissing him on the grounds that he had not passed the competition for promotion. Bakhmin refused to agree to this demotion and so on June 15, 1979 he was given official notification of his dismissal. The decision to fire Bakhmin was taken with no consideration of the importance of his work for the institute. The heads of the laboratory where Bakhmin worked and of a joint laboratory testified to the director of the institute that if Bakhmin left, the laboratory would fall six months behind in meeting its production plan.

Leonard Ternovsky worked as a medical radiologist in Clinic No. 1 of the Moscow Medical Institute. On April 4, Ternovsky was called into the office of the rector of the institute, Professor V.I. Petrov. Petrov, in the presence of the assistant rector, A.P. Savchenko, received Ternovsky rudely and began their conversation by asking "When will you cease your harmful anti-state activities?" Ternovsky calmly responded that he was acting in accord with his convictions and considered his actions to be useful. The rector then called Ternovsky a "boor." Ternovsky warned that he did not wish to continue the conversation in that tone. The rector informed Ternovsky that there was no place for him in the institute. Then the rector tried to make Ternovsky promise that he would halt his "public activities" which Ternovsky categorically refused to do. Further measures against Ternovsky have not, as yet, been taken.

Sergei Khodorovich was working as a senior programming engineer in the Computer Center of the "Mosgorplodovshch" Enterprise. He had always worked successfully and in all those years had never been criticized or reprimanded. Recently, Khorodorovich -- for clearly fabricated reasons -- was twice, in close succession, reprimanded. According to existing law, these reprimands are sufficient reason to dismiss him from his job.

We call the attention of the International Labor Organization (ILO) and the free trade unions of this grave violation of workers' rights in all the above-mentioned cases. The local and professional organizations (state trade unions) have refused to initiate an inquiry.

We call the attention of scientists who work with the Institute of Physical Chemistry and particularly with the Soviet Academy of Sciences. We call to the attention of medical institutions and physicians the persecution for political reasons of their colleague, Leonard Ternovsky.

June 20, 1979

Moscow Helsinki Group:

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Political Trials of Workers in the USSR

Document #97

In June of 1979 the trials of two workers active in the human rights movement took place in the USSR. The men were charged with disseminating deliberately false fabrications which defame the Soviet state and social system (Article 190-1 of the Criminal Code of the RSFSR).

The trial of 43-year-old Eduard Kuleshov, a driller in the Taganrog Enterprises Combine Factory, took place on June 4 in Rostov-on-Don. Bobruisk (BSSR) was the site of the June 20-21 trial of 43-year-old Mikhail Kukobaka, a stevedore, who recently completed six years of incarceration in psychiatric hospitals for his convictions.

In both cases the sentences were the maximum terms possible -- 3 years in corrective labor camps. Both trials were essentially reprisals -- under the guise of legality -- against freedom of belief and speech. "I would like to call attention to the fact that my ~~trial~~ violates the International Declaration of Human Rights," said Mikhail Kukobaka at his trial.

M. Kukobaka's articles, "International Detente and Human Rights are Inseparable" and "Stolen Homeland" -- the latter asserting the right to free emigration -- were the basis on which he was charged. It is well known tht continuous harassment (dismissal from work, committal to a psychiatric hospital) had forced M. Kukobaka, in April of 1977, to renounce his Soviet citizenship and request permission to emigrate from the USSR.

E. Kuleshov was convicted of writing a draft (!) of a statement in defense of his friend, E. Buzinnikov, who was sentenced in 1978 for taping a broadcast of Solzhenitsyn's book, Gulag Archipelago and for 'oral slander.' Moreover, since three other witnesses at the trial recanted their earlier statements, the conviction was based on the testimony of only one witness. The evidence against Kuleshov was so paltry that his court-appointed attorney, Shishtanov (from Taganrog), asked that Kuleshov be acquitted due to insufficient evidence, something that rarely happens in political cases.

Both trials revealed flagrant violations of civil procedure. Requests were denied by both Kuleshov and Kukobaka to call witnesses of their own choice. In Rostov-on-Don, Judge Ivanov brusquely interrupted Kuleshov, violating his right to defend himself. Judge Ivanov in Bobruisk shouted at the witnesses, eking the required testimony out of them by posing leading questions.

Both of the accused courageously and patiently rebutted the charges, showing them to be without foundation. Mikhail Kukobaka convincingly described human rights violations in the USSR and the lack of democratic freedom. He advanced a broad program for democratizing the country. It was precisely such firmness, the defendants' ability to stand on their convictions, their knowledge of the law, their erudition, as well as their obvious moral superiority to the charges that sparked the unconcealed irritation of the court and caused the imposition of maximum sentences.

The trials of E. Kuleshov and M. Kukobaka fall outside the realm of individual "provincial" reprisals against dissent. They should be seen as part of the repression of independent trade unions in the USSR evidenced by the arrest of V. Klebanov; the 1978 conviction of the Belorussian worker, E. Buzinnikov; and the recent Leningrad trial of SMOT founder, L. Volokhonsky.

The significance of these trials is that they symbolize the growth of workers' legal consciousness, their recognition of the need to democratize society and to effect widespread social reform in the country.

We call the attention of governments and public opinion of the Helsinki signatories, as well as the attention of workers' organizations in these countries -- particularly the American AFL-CIO -- to the recent trials. We rely on you to defend the sentenced workers, Mikhail Kukobaka, Eduard Kuleshov and others.

We ask you not to allow to go unnoticed any other attempts to stifle the workers' movement in the USSR.

June 8, 1979

Members of the Group:

Elena Bonner
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Malva Landa
Viktor Nekipelov
Naum Meiman
Tatiana Osipova
Yuri Yarym-Agaev

Document No. 98

In Defense of Political Prisoner Sergei Kovalev

The well-known human rights defender, Sergei Kovalev, confined in Perm Camp #36, has announced a hunger strike of indefinite length. Kovalev has four demands: 1) a meeting with his wife and children; 2) the delivery of letters from his family that are withheld from him without explanation; 3) a meeting with his lawyer; and 4) the return of his copies of excepts from his trial proceedings illegally taken from him during transfer from camp.

Sergei Kovalev had his last general (two hour) meeting with his wife and children on December 4, 1978. His next regularly scheduled meeting with his family was changed from April 8, 1979 to October 7, 1979 (that is, postponed for six months, the length of time Kovalev was to be in a punishment cell).

On June 4, 1979, Kovalev's wife, son and daughter arrived for their regularly scheduled short visit, but were informed that Kovalev had been deprived of this meeting because he did not greet a camp administration official. As a result, Kovalev has not been allowed to see his wife and children for more than six months, and he cannot see them until at least October 7 of this year.

Letters sent to Sergei Kovalev from his son, Ivan, are routinely confiscated -- for more than a year none of his son's letters has been delivered. Only very rarely is Kovalev given letters from his wife.

Kovalev has been seeking a meeting with his lawyer, E.A. Rezinkova, since October of 1978. The meeting has been repeatedly postponed for a variety of reasons. On March 1, 1979, Rezinkova arrived for a meeting with Kovalev. It did not take place because the lawyer catagorically refused to be searched by camp administration officials.

Over the course of two years, Kovalev has been denied his countless requests and demands for the return of his personal copies of excerpts from his trial proceedings.

All of these violations of Sergei Kovalev's rights as a prisoner have pushed him to an extreme measure of protest -- a hunger strike. The sharply deteriorating condition of Kovalev's health is cause for concern: a hunger strike can have irreversible consequences which threaten not only the health, but the life, of political prisoner Sergei Kovalev.

We believe it is necessary to inform the heads of state of the countries which signed the Helsinki Accords of Sergei Kovalev's plight. At the same time, we call on all peoples of the world, particularly scientists, to continue their efforts to free Kovalev, who was convicted for freedom of thought and speech and for collecting and disseminating information.

June 26, 1979

Moscow Helsinki Group

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Tatiana Osipova
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Document No. 99

On the Persecution of Evangelical Baptist Christians in the Ryazan Oblast

On July 20, 1979, Aleksandr Valentinovich Nikitkov, presbyter of the Ryazan Evangelical Baptist community and member of the parish council, and Nikolai Filippovich Popov, director of the choir and orchestra of the same community, were convicted by the Ryazan District Court. Found guilty of "preparing and disseminating deliberately false information, slandering the Soviet political and social system", the court sentenced Popov, under Art. 190-1 Criminal Code to three years deprivation of freedom in a strict regime camp and Nikitkov to three years deprivation of liberty with conditional release to work on constructional projects for national development.

The trial was conducted in a standard way for political cases in the USSR. The absence of complete openness, the forced rejection of defense counsel during the trial, the refusal of the court to grant any of the defendants' petitions (including requests for defense witnesses).

We do not have the text of the court's sentence. In the indictment, however, which is repeated in the sentence, it is obvious that there is not a single specific concrete example of slander in the charges against Nikitkov and Popov. The charges against them are based on general phrases concerning the compilation and dissemination of "deliberately false information," in signed documents concerning their sermons and prayers, as well as letters and statements to official representatives on the lack of freedom of conscience in the USSR, but instead persecution for religious convictions.

The statements of the defendants and their fellow believers are deemed slanderous *a priori* and without any proof. All attempts by the defendants to obtain a concrete description of the charges were rejected. None of the documents introduced as evidence against the accused were read aloud.

It is typical that in the preamble to the indictment there was extensive commentary about a "schism" and "a struggle for power" in the ranks of the Evangelical Baptists. It is completely obvious that, in a country whhch proclaims freedom of religion and the separation of church and state, differences of opinion on religious questions should not have any place in the court room.

The trial of Nikitkov and Popov is the latest link in a chain of persecutions to which the Ryazan Evangelical Baptist community has been subject for a number of years. As early as 1961, the house of prayer in the village of Lyagolovo was shut down. For eighteen years the believers have been forced to meet at the homes of fellow worshippers to pray and discuss religious issues.

Prayer meetings are frequently broken up by the police. Such instances took place, for instance, in May 1968 when police staged a genuine pogrom in the home of the Savin family where young people from the Evangelical Baptist community had gathered for a peaceful discussion of religious topics. Everyone who was present at this meeting was taken to district police headquarters where they were photographed and put on file. The head of the household, Savin, and the leader of the prayer meeting, Popov, were fined. A similar incident took place in January 1979 when police agents broke up a meeting of community members at the Kudryashev home.

When they break up meetings of believers in the Evangelical Baptist community, the police explain their actions by saying that the meetings are "illegal", since the community is not registered. Leaving aside the fact that by law neither registration nor permission is necessary to gather at a private home for prayer or discussion, it is interesting to note that since 1961 the Ryazan Evangelical Baptist community has been rebuffed in its attempts to register as a religious community.

In 1966, the first trial in Ryazan of members of the Evangelical Baptist community was held. At that time, the presbyter of the community, A.V. Bykov, the deacon, G.N. Kudryashev, and N.F. Popov and S.T. Golev, members of the church council were all convicted and served their allotted terms. In 1967, the community member Safronov was sentenced to six years strict regime. The trial was closed -- not even the defendant's wife was allowed into the courtroom.

In 1969, community members Golev, Kudryashev and Bykov were again convicted. Along with them, community member L.I. Belykh was also sentenced to two years deprivation of freedom. Kudryashev died in 1972 in a camp, a month prior to the end of his term. All of these members of the religious community were convicted on the standard charges of violating the laws on religious groups.

According to the calculations of the members of the community, the total amount of time in confinement served by members of the Evangelical Baptist community of Ryazan comes to twenty-seven and a half years. In a letter of August 29, 1979 signed by 77 members of the community and addressed to all the believers in the USSR and to all Christians of the world, it is stated that all the condemned are prisoners of conscience, since, except for confessing and preaching their faith, they have committed no crimes.

In a series of articles published in the local press, believers are presented in an untrue light; Evangelical Baptist clergy are accused of disloyalty to the socialist system, parasitism, and so forth. Presbyter A.S. Redin has suffered special persecution, both in the press and in other ways. He was threatened with the seizure of the home that was built in accordance with the law. In November 1978, eleven representatives of the police conducted an illegal search of the area where Redin was constructing his home. At the trial of Popov and Nikitkov it was learned that charges are being prepared against Redin.

Calling the attention of the heads of the Helsinki signatory states and world opinion to instances of repression against believers in our country, we appeal to all persons of good will to raise their voices in defense of those people who wish to confess and preach their religion, thus exercising their natural right of freedom of conscience.

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